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LIST OF SESSIONAL PAPERS

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CONTENTS OF VOLUME 1.

(This volume is bound in three parts.)

1. Report of the Auditor General for the year ended 31st March, 1916, Volume I, Parts a b and A to K; Volume II, Parts L to U; Volume III, Parts V to Z; Volume IV, Part ZZ. Presented by Sir George Foster April 19, 1917.

Printed for distribution and sessional papers.

CONTENTS OF VOLUME 2.

2. The Public Accounts of Canada, for the fiscal year ended March 31, 1916. Presented by Sir Thomas White, February 1, 1917.. *Printed for distribution and sessional papers.*

3. Estimates of sums required for the service of the Dominion for the year ending on the 31st March, 1918, and in accordance with the provisions of "The British North America Act, 1867," the Governor General recommends these Estimates to the House of Commons. Presented by Sir Thomas White, January 31, 1917.

Printed for distribution and sessional papers.

4. Supplementary Estimates of sums required for the service of the Dominion for the year ending on the 31st March, 1917, and, in accordance with the provisions of "The British North America Act, 1867," the Governor General recommends these Estimates to the House of Commons. Presented by Sir Thomas White, February 5, 1917.

Printed for distribution and sessional papers.

5. Supplementary Estimates of sums required for the service of the Dominion for the year ending on the 31st March, 1918. Presented by Sir Thomas White, August 17, 1917.

Printed for distribution and sessional papers.

6. List of Shareholders in the Chartered Banks of the Dominion of Canada as on December 31, 1915. Presented by Sir Thomas White, January 25, 1917.. .. .. .. *Not printed.*

7. Report on certified cheques, drafts or bills of exchange, dividends remaining unpaid and unclaimed balances in Chartered Banks of the Dominion of Canada, for five years and upwards prior to December 31, 1915. Presented by Sir Thomas White, January 27, 1917.. .. .. *Not printed.*

CONTENTS OF VOLUME 3.

(This volume is bound in two parts.)

8. Report of the Superintendent of Insurance for the year 1916. Presented by Sir Thomas White, July 27, 1917.. .. .. *Printed for distribution and sessional papers.*

9. Abstract of Statements of Insurance Companies in Canada for the year ended December 31, 1916. Presented by Sir Thomas White, May 2, 1917.

Printed for distribution and sessional papers.

CONTENTS OF VOLUME 4.

10. Report of the Department of Trade and Commerce for the fiscal year ended 31st March, 1916: Part I.—Canadian Trade (Imports in and Exports from Canada). Presented by Sir George Foster, April 19, 1917.. ..*Printed for distribution and sessional papers.*

CONTENTS OF VOLUME 5.

10*a*. Report of the Department of Trade and Commerce for the fiscal year ended March 31, 1916:—Part II.—Canadian Trade with France, Germany, the United Kingdom and the United States. Presented by Sir George Foster, January 25, 1917.
Printed for distribution and sessional papers.

10*b*. Report of the Department of Trade and Commerce for the fiscal year ended March 31, 1916.—Part III.—Canadian Trade with British and Foreign Countries (except France, Germany, United Kingdom and United States). Presented by Sir George Foster, April 19, 1917... .. ..*Printed for distribution and sessional papers.*

10*c*. Report of the Department of Trade and Commerce for the fiscal year ended March 31, 1916 (Part IV, Miscellaneous Information) Presented by Sir George Foster, June 4, 1917.. .. ..*Printed for distribution and sessional papers.*

CONTENTS OF VOLUME 6.

10*d*. Report of the Department of Trade and Commerce, Part V—Grain Statistics, compiled by the Inspection Branch of the Department, Ottawa, for the fiscal year ended March 31, 1916, the crop year ended August 31, 1916, and the season of navigation ended December 14, 1916; and Report of the Board of Grain Commissioners Presented by Sir George Foster, June 5, 1917.. .. *Printed for distribution and sessional papers.*

10*e*. Report of the Department of Trade and Commerce, for the fiscal year ending March 31, 1916 (Part VI.—Subsidized Steamship Services, with Statistics showing Steamship Traffic to December 31, 1916, and Estimates for fiscal year 1917-1918). Presented by Sir George Foster, May 3, 1917.. ..*Printed for distribution and sessional papers*

10*f*. Report of the Department of Trade and Commerce for the fiscal year ended March 31, 1916: Part VII—Trade of Foreign Countries, Treaties and Conventions Presented by Sir George Foster, 1917.. .. ..*Printed for distribution and sessional papers.*

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11. Report of the Department of Customs for the year ended March 31, 1916. Presented by Hon Mr. Reid, January 29, 1917.. ..*Printed for distribution and sessional papers.*

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12, 13, 14. Reports, Returns and Statistics of the Inland Revenues of the Dominion of Canada, for the fiscal year ended March 31, 1916. Part I.—Excise. Part II.—Weights and Measures, Gas and Electricity. Part III.—Adulteration of Food Presented by Sir James Lougheed, January 26, 1917...*Printed for distribution and sessional papers.*

15. Report of the Minister of Agriculture for the Dominion of Canada, for the year ended March 31, 1916. Presented by Hon. Mr Burrell, January 26, 1917.
Printed for distribution and sessional papers.

15*a*. Report of the Dairy and Cold Storage Commissioner for the fiscal year ending March 31, 1916. (Dairying, Fruit, Extension of Markets and Cold Storage.) Presented by Hon. Mr. Burrell, 1917.. .. ..*Not printed.*

CONTENTS OF VOLUME 8—*Concluded.*

15*b*. Report of the Veterinary Director General for the year ending March 31, 1916 Presented by Hon. Mr. Burrell, 1917... .. ..*Printed for distribution and sessional papers.*

15*c*. Report on "The Agricultural Instruction Act," 1915-16, pursuant to Section 8, Chapter 5 of 3-4 George V. Presented by Hon. Mr. Patenaude, January 31, 1917.
Printed for distribution and sessional papers.

CONTENTS OF VOLUME 9.

(This volume is bound in two parts.)

16. Report of the Director and Officers of the Experimental Farms for the year ending 31st March, 1916.—Volumes I, II and III. Presented by Sir George Foster, August 13, 1917.
Printed for distribution and sessional papers.

17. Criminal Statistics for the year ended September, 1915. (Appendix to the Report of the Minister of Trade and Commerce for the year 1915.) Presented by Sir George Foster, 1917. .. ..*Printed for distribution and sessional papers*

18. Return of By-elections for the House of Commons of Canada held during the year 1916. Presented by Hon. Mr. Speaker, 1917.. .. ..*Not printed.*

CONTENTS OF VOLUME 10.

19. Report of the Minister of Public Works on the works under his control for the fiscal year ended March 31, 1916. Presented by Hon. Mr. Rogers, January 26, 1917.
Printed for distribution and sessional papers.

CONTENTS OF VOLUME 11.

20. Annual Report of the Department of Railways and Canals, for the fiscal year from April 1, 1915, to March 31, 1916. Presented by Hon. Mr. Cochrane, April 19, 1917.
Printed for distribution and sessional papers.

20*a*. Canal Statistics for the season of Navigation, 1916. Presented by Hon. Mr. Reid, May 7, 1917... .. ..*Printed for distribution and sessional papers.*

20*b*. Railway Statistics of the Dominion of Canada, for the year ended 30th June, 1916. Presented by Hon. Mr. Cochrane, April 24, 1917.
Printed for distribution and sessional papers.

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20*c*. Eleventh Report of the Board of Railway Commissioners for Canada, for the year ending 31st March, 1916. Presented by Hon. Mr. Cochrane, January 23, 1917.
Printed for distribution and sessional papers.

20*d*. Telephone Statistics of the Dominion of Canada, for the year ended June 30, 1916. Presented by Hon. Mr. Cochrane, April 19, 1917.
Printed for distribution and sessional papers.

20*e*. Express Statistics of the Dominion of Canada, for the year ended June 30, 1916. Presented by Hon Mr. Cochrane, April 25, 1917.
Printed for distribution and sessional papers.

20*f*. Telegraph Statistics of the Dominion of Canada, for the year ended June 30, 1916. Presented by Hon. Mr. Cochrane, April 19, 1917.
Printed for distribution and sessional papers.

20*g*. Report of the Royal Commission appointed to consider the general problem of transportation in Canada, comprising:—Report of Sir H. F. Drayton and Mr. W. M. Acworth; Report of Mr. A. H. Smith; and, Appendices A and B, being Report of Appraisal of Canadian Northern Railway System and Grand Trunk Pacific Railway, by Mr. Geo. F. Swain, C.E. Presented by Sir Thomas White, May 2, 1917.
Printed for distribution and sessional papers.

CONTENTS OF VOLUME 13.

21. Forty-ninth Annual Report of the Department of Marine and Fisheries, for the year 1915-16—Marine. Presented by Hon. Mr. Hazen, January 23, 1917.
Printed for distribution and sessional papers.

22. List of Shipping issued by the Department of Marine and Fisheries, being a list of vessels on the Registry Books of the Dominion of Canada, on the 31st day of December, 1916. Presented by Hon. Mr. Hazen, September 4, 1917.
Printed for distribution and sessional papers.

23. Supplement to the Forty-ninth Annual Report of the Department of Marine and Fisheries for the fiscal year 1915-16. (Marine)—Steamboat Inspection Report. Presented by Hon. Mr. Hazen, April 19, 1917... ..*Printed for distribution and sessional papers.*

CONTENTS OF VOLUME 14.

24. Report of the Postmaster General for the year ended 31st March, 1916. Presented by Hon. Mr. Blondin, February 1, 1917...*Printed for distribution and sessional papers.*

25. Annual Report of the Department of the Interior, for the fiscal year ending March 31, 1916. Presented by Hon. Mr. Roche, January 22, 1917.
Printed for distribution and sessional papers.

CONTENTS OF VOLUME 15.

25*b*. Annual Report of the Topographical Surveys Branch of the Department of Interior, 1915-16. Presented by Hon. Mr. Roche, June 19, 1917.
Printed for distribution and sessional papers.

25*c*. Report of Hydrometric Surveys (Stream Measurements), for the calendar year 1915. Presented by Hon. Mr. Roche, April 19, 1917.
Printed for distribution and sessional papers.

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25*d*. Fifteenth Report of the Geographic Board of Canada for year ended March 31, 1916. Presented, 1917.. .. ..*Not printed.*

25*e*. Report of the British Columbia Hydrometric Survey for the calendar year 1915 (Water Resources Paper No. 18 of the Dominion Water Power Branch, Department of the Interior). Presented by Hon. Mr. Roche, July 5, 1917.
Printed for distribution and sessional papers.

25*f*. Progress Report of the Manitoba Hydrometric Survey for the calendar year 1915 (Water Resources Paper No. 19 of the Dominion Water Power Branch, Department of the Interior). Presented by Hon. Mr. Roche, July 7, 1917.
Printed for distribution and sessional papers.

CONTENTS OF VOLUME 17.

26. Summary Report of the operations of the Geological Survey, Department of Mines, for the calendar year, 1916. Presented by Hon. Mr. Meighen, August 28, 1917.
Printed for distribution and sessional papers.

26*a*. Summary Report of the Mines Branch of the Department of Mines, for the calendar year ending 31st December, 1915. Presented by Hon. Mr. Patenaude, April 19, 1917.
Printed for distribution and sessional papers.

CONTENTS OF VOLUME 18.

27. Report of the Department of Indian Affairs for the year ended March 31, 1916. Presented by Hon. Mr. Roche, January 22, 1917.
Printed for distribution and sessional papers.

28. Report of the Royal Northwest Mounted Police, 1916 Presented by Sir Robert Borden, April 19, 1917.. .. ..*Printed for distribution and sessional papers.*

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29. Report of the Secretary of State of Canada for the year ended March 31, 1916. Presented by Hon. Mr. Roche, August 18, 1917... ..*Printed for distribution and sessional papers.*

30. The Civil Service List of Canada for the year 1916. Presented 1917.
Printed for distribution and sessional papers.

31. Eighth Annual Report of the Civil Service Commission of Canada for the year ended August 31, 1916. Presented by Hon. Mr. Patenaude, April 19, 1917.
Printed for distribution and sessional papers.

32. Annual Report of the Department of Public Printing and Stationery for the fiscal year ended March 31, 1916. Presented by Sir Robert Borden, July 31, 1917.
Printed for distribution and sessional papers.

33. Report of the Secretary of State for External Affairs for the year ended March 31, 1917. Presented 1917... .. ..*Printed for distribution and sessional papers.*

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34. Report of the Minister of Justice as to the Penitentiaries of Canada for the fiscal year ending March 31, 1916. Presented 1917...*Printed for distribution and sessional papers.*

35. Report of the Militia Council for the Dominion of Canada, for the fiscal year ending March 31, 1916. Presented by Sir A. E. Kemp, February 3, 1917.
Printed for distribution and sessional papers.

36. Report of the Department of Labour for the fiscal year ending March 31, 1916. Presented by Hon. Mr. Crothers, January 22, 1917.
Printed for distribution and sessional papers.

36a. Ninth Report of the Registrar of Boards of Conciliation and Investigation of the proceedings under "The Industrial Disputes Investigation Act, 1907," for the fiscal year ending March 31, 1916. Presented by Hon. Mr. Crothers, January 22, 1917.
Printed for distribution and sessional papers.

37. Twelfth Annual Report of the Commissioners of the Transcontinental Railway, for the year ended March 31, 1916. Presented by Hon. Mr. Cochrane, April 19, 1917.
Printed for distribution and sessional papers.

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38. Report of the Department of the Naval Service, for the fiscal year ending March 31, 1916. Presented by Hon. Mr. Hazen, January 22, 1917.
Printed for distribution and sessional papers.

38a. Supplement to the Sixth Annual Report of the Department of Naval Service, Fisheries Branch,—Contributions to Canadian Biology, being studies from the biological stations of Canada, 1915-1916. Presented by Hon. Mr. Hazen, June 4, 1917.
Printed for distribution and sessional papers.

38c. Lobster Conservation in Canada, by A. P. Knight, M.A.
Printed for distribution and sessional papers.

39. Forty-ninth Annual Report of the Fisheries Branch of the Department of the Naval Service, 1915-16. Presented by Hon. Mr. Hazen, January 22, 1917.
Printed for distribution and sessional papers.

CONTENTS OF VOLUME 21—*Continued.*

40. The Report of the Joint Librarians of Parliament. Presented by Hon. Mr. Speaker, January 19, 1917... .. .. ..

CONTENTS OF VOLUME 21—*Continued.*

43*c*. Copy of Extract from Order in Council No. P.C. 1576, dated 11th June, 1917: Regulations instituting the rank of Chief Skipper and Skipper in the Royal Canadian Navy. Presented by Hon. Mr. Hazen, June 20, 1917.. .. ..*Not printed.*

43*d*. Copy of Order in Council, P.C. 69/1774, dated 28th June, 1917, containing Regulations for the Payment of Specialist Allowance to R.N.C.V.R. and R.N.C.V.R Overseas Division. Presented by Hon. Mr. Hazen, July 9, 1917.. .. ..*Not printed*

43*e*. Copy Extract from Order in Council, P.C. No 1783, dated 29th June, 1917:—Rules and Regulations governing the issue of Pay, Allowances and Pensions, Department of the Naval Service—Copy Extract from Order in Council, P.C No 1871, dated 6th July, 1917; —Amendment to the Regulations for the payment of Separation Allowance to the dependents of those on Active Service under the Naval Service Department. Presented by Sir James Lougheed, July 12, 1917. (Senate)... .. ..*Not printed.*

43*f*. Extract from Order in Council, P.C 1993 of the 17th July, 1917: Scale of Subsistence Allowances to Officers and men of the Naval Service when travelling on duty.—And also.—Extract from Order in Council, P.C 1994 of the 17th July, 1917: Scale of Allowances in lieu of lodging, provisions, fuel and light, for Officers and men of the Naval Service Presented by Hon. Mr. Hazen, August 6, 1917.. .. ..*Not printed.*

43*g*. Extract from Order in Council, P.C 2105, dated 9th August, 1917: Amendments to regulations for the issue of pay, allowances and pensions to officers, warrant officers and men invalided, etc., from the Naval Service Presented by Hon. Mr Hazen, August 27, 1917... .. ..*Not printed.*

43*h*. Extract from Order in Council ("Defence of Canada Order"), P.C. No. 2277, dated the 17th August, 1917:—Amendments respecting Naval Service The Senate..*Not printed.*

43*i*. Extract from Order in Council, No P.C 2433, dated 1st September, 1917:—Regulations *re* Pay and Allowances to Officers and Men after discharge from the Canadian Naval Service. The Senate.. .. ..*Not printed.*

44. Correspondence relating to the withdrawal of the Ross Rifle from the Canadian Army Corps Presented by Sir Robert Borden, January 22, 1917.
Printed for sessional papers only.

45. Report of the War Purchasing Commission, covering period from its appointment on May 8, 1915, to December 31, 1916 Presented by Hon. Mr. Kemp, January 23, 1917.
Not printed.

46. Copies of Orders in Council respecting the establishment of a National Service Board of Canada, and appointments thereto, under the provisions of the War Measures Act, 1914 Presented by Sir Robert Borden, January 23, 1917.
Printed for sessional papers only.

47. Copy of Agreement between His Majesty the King and The Acadia Coal Company, Ltd., concerning the lease of the Vale Railway Presented by Hon. Mr. Cochrane, January 23, 1917... .. ..*Not printed.*

48. Copy of Agreement between His Majesty the King and The Quebec and Saguenay Railway Co., The Quebec Railway Light, and Power Co. The Lotbinière and Megantic Railway Co., and The Quebec Railway Light Heat and Power Co., respecting the acquisition by the Government of the said railways Presented by Hon. Mr. Cochrane, January 23, 1917.. .. ..*Not printed.*

48*a*. Return to an Order of the House, of the 23rd April, 1917, for a copy of all proceedings in the Exchequer Court of Canada, and judgment of Mr. Justice Cassels concerning the reference of the Quebec and Saguenay Railway, the Quebec and Montmorency Railway and the Lotbinière and Megantic Railway. Presented June 21, 1917. Mr. Lemieux.
Not printed.

CONTENTS OF VOLUME 21—*Continued.*

48*b*. Return to an Order of the House, of the 14th May, 1917, for a copy of the judgment delivered by Mr. Justice Cassels on the 24th day of January, 1917, in the matter of fixing the price to be paid by the Government for the Quebec, Montmorency and Charlevoix Railway, the Quebec and Saguenay Railway, and the Lotbinière and Megantic Railway, under the statute of last session, Chapter 22, 6-7 George V. Presented June 27, 1917. Mr. Graham.. .. ..*Not printed.*

49. Statement of Governor General's Warrants issued since the last Session of Parliament on account of 1916-17. Presented by Sir Thomas White, January 25, 1917. *Not printed.*

49*a*. Statement of Governor General's Warrants issued since the adjournment of Parliament on February 7, 1917. Presented by Sir Thomas White, April 24, 1917 *Not Printed.*

50. Copy of Amendments to the Radiotelegraph Regulations since the August, 19[illegible] Presented by Hon. Mr. Hazen, January 25, 1917... .. ..*Not printed.*

50*a*. Copy of Amendment to subsection (*d*) of section 104 of the Radiotelegraph Regulations; Operation of ship stations within a Canadian harbour. Presented by Hon. Mr. Hazen, January 29, 1917.. .. .. *Not printed.*

50*b*. Copy of Amendment to Radiotelegraph Regulations issued by the Minister of the Naval Service, under Section 11, Chapter 43, of the Radiotelegraph Act, 3-4 George V. Presented by Hon. Mr. Hazen, April 19, 1917.. .. ..*Not printed.*

51. Statement of Expenditure on account of "Miscellaneous Unforeseen Expenses," from the 1st April, 1916, to the 18th January, 1917, in accordance with the Appropriation Act of 1916. Presented by Sir Thomas White, January 25, 1917... .. ..*Not printed.*

52. Statement of Temporary Loans issued since April 1, 1916, to 18th January, 1917. Presented by Sir Thomas White, January 25, 1917... .. ..*Not printed.*

53. Report and Statement of Receipts and Expenditures of the Ottawa Improvement Commission to March 31, 1916. Presented by Sir Thomas White, January 25, 1917. *Not printed.*

54. Statement of the Receipts and Expenditures of the Royal Society of Canada, for the year ended April 30, 1916. Presented by Sir Thomas White, January 25, 1917...*Not printed.*

55. Statement of Receipts and Expenditures of the National Battlefields Commission to 31st March, 1916. Presented by Sir Thomas White, January 25, 1917.. ..*Not printed.*

56. Statement of Superannuation and Retiring Allowances in the Civil Service during the year ending 31st December, 1916, showing name, rank, salary, service allowance and cause of retirement of each person superannuated or retired, also whether vacancy has been filled by promotion, or by appointment, and the salary of any new appointee. Presented by Sir Thomas White, January 25, 1917... .. ..*Not printed.*

57. Statement in pursuance of Section 17 of the Civil Service Insurance Act, for the year ending March 31, 1916. Presented by Sir Thomas White, January 25, 1917. *Not printed.*

58. Regulations under "The Destructive Insect and Pest Act," pursuant to Section 5, Chapter 31 of 9-10 Edward VII. Presented by Hon. Mr. Burrell, January 25, 1917. *Not printed.*

59. Account of the average number of men employed on the Dominion Police Force during each month of the year 1916, and of their pay and travelling expenses, pursuant to Chapter 92, Section 6, Subsection 2, of the Revised Statutes of Canada. Presented by Hon. Mr. Doherty, January 26, 1917.. .. ..*Not printed.*

60. Copy of the evidence taken before the Hon. Sir Charles Davidson, Kt., Commissioner appointed to inquire into the purchase by and on behalf of the Government of the Dominion of Canada, of Arms, Munitions, Implements, Materials, Horses, Supplies, and other things for the purpose of the present war, and as to the expenditures and payments made or agreed to be made therefor; together with the Report of the said Commissioner concerning the sale of Small Arms Ammunition; purchase of Submarines, and Military Cloth (Auburn Woollen Mills Co.). Presented by Hon. Mr. Meighen, January 30, 1917.. .. ..*Not printed.*

CONTENTS OF VOLUME 21—*Continued.*

61. Report submitted by the officer in charge of the Canadian Records Office, London, Eng., to The Right Honourable Sir Robert Borden, G.C.M.G., M.P., Prime Minister of Canada, on the work of the Canadian War Records Office since the date of its foundation to the 11th January, 1917. Presented by Sir Robert Borden, January 31, 1917.
Not printed.

62. Annual Return respecting Trade Unions under Chapter 125, R.S.C., 1906. Presented by Hon. Mr. Patenaude, January Council, ...*Not printed.*

63 A detailed statement of all bonds or securities registered in the Department of the Secretary of State of Canada, since last return (22nd January, 1916) submitted to the Parl nt of Canada under Section 32 of Chapter 19, of the Revised Statutes of Canada, 06. Presented by Hon. Mr. Blondin, January 31, 1917... ..*Not printed.*

64. Return of Orders in Council which have been published in the *Canada Gazette*, between the 1st January, 1916, and the 31st December, 1916, in accordance with the provisions of Section 5 of "The Dominion Lands Survey Act," Chapter 21, 7-8 Edward VII. Presented by Hon. Mr. Roche, February 1, 1917.. .. ..*Not printed.*

65. Return of Orders in Council which have been published in the *Canada Gazette*, between 1st January, 1916, and the 31st December, 1916, in accordance with the provisions of "The Forest Reserves and Park Act," Section 19, of Chapter 10, 1-2 George V. Presented by Hon. Mr. Roche, February 1, 1917.. .. ..*Not printed.*

66. Return of Orders in Council which have been published in the *Canada Gazette*, between the 1st January, 1916, and the 31st December, 1916, in accordance with the provisions of Chapter 47, 2 George V, entitled "The Railway Belt Water Act." Presented by Hon. Mr. Roche, February 1, 1917... .. ..*Not printed.*

67. Return of Orders in Council which have been published in the *Canada Gazette* and in the British Columbia *Gazette*, between 1st January, 1916, and the 31st December, 1916, in accordance with provisions of Subsection (*d*) of Section 38 of the regulations for the survey, administration, disposal and management of Dominion Lands within the 40-mile Railway Belt in the Province of British Columbia. Presented by Hon. Mr. Roche, February 1, 1917.. .. ..*Not printed.*

68. Return showing all lands sold by the Canadian Pacific Railway Company during the year, from the 1st October, 1915, to 30th September, 1916, together with the names of the purchasers, in accordance with the Statutes of Canada, 1886, Chapter 9, Section 8. Presented by Hon. Mr. Roche, February 1, 1917.. .. ..*Not printed*

69. Return of Orders in Council which have been published in the *Canada Gazette*, between 1st January, 1916, and the 31st December, 1916, in accordance with the provisions of Section 77 of "The Dominion Lands Act," Chapter 20, 7-8 Edward VII. Presented by Hon. Mr. Roche, February 1, 1917.. .. ..*Not printed.*

70. Certified copies of Reports of the Committee of the Privy Council, approved by His Excellency the Governor General on the 29th November, 1916, giving authority for the cancellation on and from the 1st January, 1917, of the agreements between the Government of Canada and the Governments of Manitoba, Saskatchewan and Alberta, respectively, respecting the services of the Royal North West Mounted Police in those provinces. Presented by Sir Robert Borden, February 1, 1917.
Printed for sessional papers only.

70*a*. Return to an Address to His Excellency the Governor General, of the 31st January, 1917, for a copy of all documents, letters, messages, correspondence, etc., respecting the termination of the agreements between the Government of Canada and the Governments of the Provinces of Saskatchewan and Alberta in reference to the Royal North West Mounted Police. Presented June 1, 1917. Mr. McCraney.. .. ..*Not printed.*

71. Return to an Order of the House, of the 20th March, 1916, for a copy of all telegrams, letters and correspondence concerning the appointment of Mr. Alfred Gravel, Harbour Commissioner of Quebec, and concerning all other candidates for the position of Commissioner on the Harbour Board of Quebec, to represent the South Shore. Presented February 2, 1917. Mr. Bourassa... .. ..*Not printed.*

CONTENTS OF VOLUME 21—*Continued.*

72. Return to an Address to His Royal Highness the Governor General, of the 2nd February, 1914, for a copy of all Orders in Council, correspondence, petitions, telegrams and other papers or documents bearing date between the years 1885 and 1914 in any way relating to the prohibition of the export of Sockeye Salmon from the Province of British Columbia. Presented February 2, 1917.—*Mr. Sinclair*.. .. ..*Not printed.*

73. Seventh Annual Report of the Commission of Conservation for the fiscal year ending March 31, 1916. Presented by Hon. Mr. Hazen, February 5, 1917.. .. .. ..*Not printed.*

74. Copy of correspondence between Sir Robert Borden and Sir Wilfrid Laurier respecting proposals for the extension of the term of Parliament, November 3, 1915, to January 3, 1917. Presented by Sir Robert Borden, May 23, 1917.

Printed for sessional papers only.

75. Detailed Statement of Customs Duties and the Refund thereof, under Section 92, Consolidated Revenue Act, for the year ended March 31, 1916. (Senate) .. .. ..*Not printed.*

75*a*. Detailed Statement of all Remissions and Refunds of the Tolls or duties for the fiscal year ending March 31, 1916.—Also,—Supplementary statement of the Remissions and Refunds of Tolls and Duties from the Department of Marine and Fisheries. Presented by Hon. Mr. Patenaude, April 19, 1917.. .. .. *Not printed*

76. Ordinances of the Yukon Territory, passed by the Yukon Council in 1916. (Senate).

Not printed.

76*a*. Return of Orders in Council passed under the provisions of Section 18, of Chapter 63, Revised Statutes of Canada, "An Act to provide for the Government of the Yukon Territory" Presented by Hon. Mr. Patenaude, April 19, 1917.. .. .. ..*Not printed.*

76*b* Return of Orders in Council passed in the year 1917, under the provisions of Section 18, of Chapter 63, Revised Statutes of Canada, "An Act to provide for the Government of the Yukon Territory." Presented by Hon. Mr. Sevigny, July 5, 1917

Not printed

77. Copy of extract from Order in Council No. P.C. 43 263, dated 27th January, 1917, authorizing Regulations governing the payment of Allowance for the Accountant Officers in the Royal Canadian Navy of Receiving Ships and Depot Ships, in accordance with the provisions of Secton 47, Chapter 43, 9-10 Edward VII. Presented by Hon. Mr. Hazen, February 6, 1917 .. ..*Not printed.*

78. Return to an Order of the House of the 31st January, 1917, for a copy of all correspondence respecting the appointment of a Commission to investigate the financial and economic condition of Canadian railways, showing the names of the Commissioners, the rate of their remuneration, along with the names of the secretaries and engineers appointed by them, or by the Commission, and the rate of their remuneration. Presented February 6, 1917.—*Sir Wilfrid Laurier*.. .. ..*Not printed.*

79. Return to an Order of the House of the 31st January, 1917, for a copy of all papers, letters, telegrams and other documents relative to the removal of Mr. H. D. McKenzie as mechanical foreman at Stellarton on the Canadian Government Railways, and the appointment of his successor. Presented February 6, 1917.—*Mr. Macdonald.*

Not printed.

80. Return to an Order of the House of the 31st January, 1917, for a return showing the quantity of freight carried over the Grand Trunk Pacific Railway between Lévis and Moncton since that portion of said railway has been operated by the Canadian Government Railways System Presented February 6, 1917.—*Mr. Copp*.. .. .. ..*Not printed.*

81. Return to an Order of the House of the 12th April, 1916, for a Return showing:—1. How many clerks there are in the Interior Department who belong to and are paid from the outside service vote and who work in the inside service? 2. The names of said clerks? 3. Salary paid to each? 4 How long each has been in the service of the Department? 5. If all or any of these clerks have passed any examination. If so, what examination and on what date or dates? Presented February 6, 1917.—*Mr. Turriff*.. ..*Not printed*

CONTENTS OF VOLUME 21—*Continued.*

82. Return to an Order of the House of the 15th March, 1916, for a copy of all correspondence between the Government and the Provinces, regarding increased co-operation in the promotion of immigration and land settlement, commencing with a letter of the Minister of the Interior to the Provincial Prime Ministers, in November, 1911. Presented February 6, 1917.—*Sir Wilfrid Laurier*... .. ..*Not printed.*

83. Return to an Order of the House of the 27th March, 1916, for a Return showing:—1. The names and salaries of the persons employed in the Immigration Service in the City of Montreal; their respective salaries when appointed and what they receive at the present time? 2. Which of such employees are given travelling or other expenses, and how much has been been paid to each on that account since their respective appointments. Presented February 6, 1917.—*Mr. Lachance*.. .. ..*Not printed.*

84. Return to an Order of the House of the 31st January, 1917, for a return showing the quantities of timber cut, and the sum paid therefor, to date, under the lease or sale of timber made by the Indian Department to Mr. Arthur Webber from lands situated near Ship Harbour Lake, Halifax County, together with the name or names of all surveyors of the timber cut from the said Indian lands under the above-mentioned sale or lease, and copies of all reports made in connection therewith by said surveyors. Presented February 6, 1917.—*Mr. McLean (Halifax)*... .. ..*Not printed.*

85. A copy of the Special Report made by the Royal Commission on Indian Affairs on the Kitsilano Indian Reserve, together with the Order in Council passed on the 28th March, 1916, and all other papers and correspondence relating to the Report. (Senate) *Not printed.*

86. Return to an Address to His Excellency the Governor General, of the 31st January, 1917, for a copy of all correspondence exchanged between the Dominion Government and the Provincial Governments inviting them to a conference on the subject of making provisions for returned soldiers, including a copy of the proceedings of the conference which took place on the 10th of January at Ottawa on the same subject. Presented February 7, 1917.—*Sir Wilfrid Laurier* .. ..*Printed for sessional papers only.*

87. Return to an Order of the House, of the 31st January, 1917, for a copy of all correspondence between any Member of the Government and Sir Thomas Tait referring to his appointment to, and resignation from, the National Service Board. Presented February 7, 1917.—*Mr. Graham*.. .. ..*Printed for sessional papers only.*

87*a*. Return to an Order of the House of the 31st January, 1917, for a copy of all correspondence between Mr. Murray, Secretary of the Manufacturers' Association, and any Member of the Government, or Sir Thomas Tait, as head of the National Service Board, concerning his suggested appointment as Secretary of the National Service Board. Presented June 1, 1917.—*Mr. Graham*.. .. ..*Not printed.*

88. Correspondence between the Prime Minister and the Leader of the Opposition concerning the formation of a Parliamentary National Service Commission. Presented by Sir Robert Borden, February 7, 1917... .. ..*Printed for sessional papers only.*

89. Return to an Order of the House, of the 5th February, 1917, for a copy of all petitions, letters, telegrams, reports and other documents relative to the closing of the Canard and Splitlog Post Office and the opening of Loiselleville Post Office, in the County of Essex, together with a copy of all petitions and documents relative to the establishment of rural mail routes from the Loiselleville Post Office. Presented February 7, 1917.—*Mr. Wilcox*.. .. ..*Not printed.*

90. Report on the Canadian Army Medical Service, by Colonel Herbert A. Bruce, Special Inspector General, Medical Services, Canadian Expeditionary Force, dated at London, England, 20th September, 1916. Presented by Sir Robert Borden, February 7, 1917. *Not printed.*

90*a*. Report on the Canadian Army Medical Service, by a Board of Officers, presided over by Surgeon-General Sir William Babtie, K.C.M.G., C.B., V.C., dated at London, England, December 22, 1916. Presented by Sir Robert Borden, February 7, 1917..*Not printed.*

CONTENTS OF VOLUME 21—*Continued.*

90*b*. Copy of Interim Report of the Surgeon-General G. C. Jones, Director Medical Services, Canadians, in reply to the Report on the Canadian Army Medical Service by Colonel Herbert A. Bruce, Special Inspector-General, Medical Services, Canadian Expeditionary Force, dated London, September 28, 1916. Presented by Sir Edward Kemp, May 31, 1917.. .. .. .

CONTENTS OF VOLUME 21—*Continued.*

100a. Copy of Rule 200 of the General Rules and Orders now in force regulating the practice and procedure in the Exchequer Court of Canada; also, Copy of General Order respecting fees and costs in the Exchequer Court in the exercise of its jurisdicton as a Court of Admiralty. Presented by Hon. Mr. Patenaude, May 3, 1917.....*Not printed.*

101. Return to an Order of the House of the 5th February, 1917, for a return showing a list of all persons employed during the year 1916 in the round-house of the Canadian Government Railways at Pirate Harbour, N.S., as brakemen, telegraphers, cleaners and labourers, showing the dates of their appointments and length of time employed respectively, and also the monthly rate of wages paid to each of said employees. Presented April 19, 1917.—*Mr. Sinclair*.. .. .. .

CONTENTS OF VOLUME 21—*Continued.*

Forces or the Militia Forces of Canada since the present war was declared. 2. Whether these Members or any of them were, or are in receipt of pay from the Militia Department and in receipt of their indemnity as Members at the same time. 3. Whether the wives of these Members, or any of them were, or are in receipt of separation allowance. Presented April 20, 1917.—*Mr. Hughes (Kings, P.E.I.)*.. .. ..*Not printed*

109a. Supplementary return to an Order of the House of the 19th April, 1917, for a return showing:—1. The names of the Members of Parliament who now belong, or who did belong to the Overseas Forces or the Militia Forces of Canada since the present war was declared. 2. Whether these Members, or any of them were, or are in receipt of pay from the Militia Department and in receipt of their indemnity as Members at the same time. 3. Whether the wives of these Members, or any of them were, or are in receipt of separation allowance. Presented April 24, 1917.—*Mr. Hughes (Kings, P.E.I.)*.. ..*Not printed.*

109b. Return to an Order of the House of the 25th April, 1917, for a return showing:—1. How many Members of the House of Commons are serving or have served in the Canadian Army. 2. The names of each of said Members, the date of appointment, and rank. 3. The names of those Members who have resigned or have withdrawn from military service and the date of withdrawal or resignation. 4. How much has been paid to each for military salary, expenses and separation allowance to wife or relatives, respectively. Presented May 31, 1917.—*Mr. Turriff*.. .. ..*Not printed*

109c. Corrected copy of a return to an Order of the House of the 25th April, 1917, for a return showing:—1. How many Members of the House of Commons are serving or have served in the Canadian Army. 2. The names of each of said Members, the date of appointment, and rank. 3. The names of those Members who have resigned or have withdrawn from military service and the date of withdrawal or resignation. 4. How much has been paid to each for military service, expenses and separation allowance to wife or relatives, respectively. Presented June 14, 1917.—*Mr Turriff*.. .. ..*Not printed.*

110. Return to an Order of the House of the 19th April, 1917, for a return showing:—1. What amounts have been given to the Canadian Patriotic Fund to December 31, 1916, and what amounts have been promised for 1917, by the different counties, towns and cities in each of the different provinces. 2. The names of the different counties, towns and cities, and the respective amounts subscribed and promised by each. 3. What counties, cities and towns in each province, if any, have not contributed any amount to the said fund up to the present time. Presented April 24, 1917.—*Mr. Edwards*.. ..*Not printed*

110a Return to an Order of the House of the 19th April, 1917, for a return showing:—1. How much money has been subscribed and voted to the Canadian Patriotic Fund by each of the different provinces to December 31, 1916. 2. How much money has been paid to the Canadian Patriotic Fund by each of the different provinces during the same time. 3. How much money has been promised by county, township, city or other grants by each province for the year 1917. 4. How many persons in each province have received assistance from the Canadian Patriotic Fund to December 31, 1916. 5. The total amount so expended in each province. Presented April 24, 1917.—*Mr. Edwards*.. ..*Not printed.*

111 Copy of Order in Council P.C. 802, dated 23rd March, 1917, in respect to taking over of the Ross Rifle Factory by the Government of Canada. Presented by Sir Edward Kemp, April 24, 1917.. .. ..*Not printed.*

112. Return to an Order of the House of the 31st January, 1917, for a copy of all documents, letters, telegrams and other correspondence in the Department of the Interior, relating to grazing leases numbers 2785, 2803, 2843, 3701, 3998, 4603, 5566, 6220 and 6221. Presented April 25, 1917.—*Mr. Steele*.. .. ..*Not printed.*

113. Memorandum from the Superintendent of Immigration respecting the advertising by the Canadian Government in United States newspapers for farm hands to work in Canada; together with a copy of the advertisements and instructions concerning the same. Presented by Hon. Mr. Roche, April 25, 1917.. .. ..*Not printed.*

CONTENTS OF VOLUME 21—*Continued.*

114. Copies of Orders in Council:—

P.C. 341, dated the 7th day of February, 1917, respecting the exportation of newsprint paper in sheets or rolls by license only under regulations by the Minister of Customs.

P.C. 445, dated the 17th day of February, 1917, containing orders and regulations respecting the price, sale, control, distribution, transport, etc., of newsprint paper in sheets or rolls.

P.C. 1059, dated the 16th day of April, 1917, empowering the Minister of Customs to fix the quantity and price of newsprint paper furnished or to be furnished to the publishers in Canada by the manufacturers; and controlling the distribution and delivery of the same.

P.C. 1060, dated the 16th day of April, appointing R. A. Pringle a commissioner to conduct an inquiry into and concerning the manufacture, sale, price and supply of newsprint paper within the Dominion of Canada. Presented by Sir Thomas White, April 26, 1917.. .. .. .

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and all other persons, concerning either the construction or repairing or purchase of the wharves at the following places: Ile Perrot Sud, the Church in the Village of Ile Perrot, the Village of Vaudreuil, Pointe Cavagnal, Hudson, Rigaud, Graham, Pointe Fortune, and Ile Perrot Nord. Also, a copy of all specifications and reports already brought down at my request in relation to the documents prior to and since 1904, and a statement of the amounts that have been paid for such construction or repairs, and to whom they were paid. Presented April 30, 1917.—*Mr. Boyer*.. .. ..*Not printed.*

122*a*. Return to an Order of the House of the 16th February, 1916, for a copy of all letters, petitions, correspondence, telegrams and reports, exchanged between the Government, the engineers residing in the district, and all other persons, concerning the construction and repairing done to the wharves mentioned below, since 1904, and of all data and reports already produced at my request and relating to documents prior to 1904; also the amounts of money paid for such construction and repairing, and to whom paid:—The wharf at Ile Perrot North, South, and at the Church; of the Village of Vaudreuil; of Pointe Cavagnal; of Hudson; of Graham; of Rigaud, and of Pointe Fortune. Presented April 30, 1917.—*Mr. Boyer*.. .. ..*Not printed.*

122*b*. Return to an Order of the House of the 30th April, 1917, for a copy of all letters, petitions, correspondence, telegrams and reports exchanged between the Government, the resident engineer and all other persons, concerning the construction and repairing done to the wharves at Ile Perrot North, South and at the Church; Village of Vaudreuil, Pointe Cavagnal, Hudson, Graham Rigaud and Point Fortune since 1904. Also, a copy of all data and reports regarding above already produced at my request relating to documents prior to 1904, showing the amounts of money paid for such construction and repairing, and to whom paid. And also, return to an Order of the House of the 30th April, 1917, for a copy of all letters, petitions, correspondence and telegrams exchanged between the Government, the district engineer, and any other persons concerning either the construction, repairing or purchase of the wharves at Ile Perrot South, the Church in the Village of Ile Perrot, Village of Vaudreuil, Pointe Cavagnal, Hudson, Rigaud, Graham, Pointe Fortune and Ile Perrot North, since 1904. Also a copy of all specifications and reports already brought down at my request in relation to above prior to, and since 1904, giving a statement of the amounts that have been paid for such construction or repairs, showing to whom they were paid. Presented August 13, 1917.—*Mr. Boyer.*

Not printed.

123 Return to an Order of the House of the 19th April, 1916, for a copy of all letters, petitions, correspondence and telegrams exchanged between the Government, its resident engineer, and all other persons, concerning the dredging work done at the following places:—Ste. Anne de Bellevue, Pointe Fortune, Ottawa River Channel between Ile au Foin and Ile à Paquin, Graham channel, Rigaud channel, Hudson Heights channel, Hudson, Como, Pointe Cavagnal, channel at Vaudreuil Village, Dorion Bay channel, Ile Perrot Church, Ile Perrot Sud Wharf, and Ile Perrot Nord Wharf. Also, a statement of the amounts paid to different persons, companies, etc., for such work, the dates, etc., and a copy of the estimates already brought down at my request, the whole since 1904. Presented April 30, 1917.—*Mr. Boyer*.. .. ..*Not printed.*

123*a*. Return to an Order of the House of the 16th February, 1916, for a copy of all letters, petitions, correspondence, telegrams and reports exchanged between the Government, the resident engineer of the district, and all other persons, concerning the dredging work done at the places below named, and the amount of money paid to divers, persons companies, etc., for such work, as well as the statements already presented at any request, the whole since 1904:—At the wharf of Ile Perrot, North, South and at the Church; in Dorion Bay channel; at Vaudreuil Village channel; at Pointe Cavagnal; at Como; at Hudson; at Hudson Heights channel; at Graham channel; in the Rigaud River channel; in the Ottawa river; Ile aux Poires channel; at Pointe Fortune, and at Ste-Anne de Bellevue channel. Presented April 30, 1917.—*Mr. Boyer*.. .. ..*Not printed.*

124. Return to an Order of the House of the 3rd May, 1916, for a copy of all letters, telegrams, bills, vouchers and memoranda in connection with the repairs to the wharf at Upper Prospect, Halifax County, N.S., in 1915. Presented April 30, 1917.—*Mr. McLean (Halifax)*.. .. ..*Not printed.*

CONTENTS OF VOLUME 21—*Continued.*

125. Return to an Order of the House of the 3rd May, 1916, for a copy of all letters, telegrams, bills, vouchers and memoranda in connection with the repairs to the wharf at Shad Bay, Halifax County, N.S., in 1915. Presented April 30, 1917.—*Mr. McLean (Halifax)*.. .. .. .

CONTENTS OF VOLUME 21—*Continued.*

136. Return to an Order of the House of the 23rd April, 1917, for a return showing:—1. The names, former post office addresses, occupations and salaries paid to the censors and decoders in the employ of the Government at Hazel Hill and Canso during the year 1916. 2. How much has been expended in connection with this service at Canso and Hazel Hill since the first of August, 1914, up to the present date. 3. How much has been expended in connection with the said service in embracing all the stations in the province of Nova Scotia from August 1, 1914, up to the present date. Presented May 2, 1917.—*Mr. Sinclair*.. .. .. .

CONTENTS OF VOLUME 21—*Continued.*

permanent and temporary civil servants and employees for the fiscal year ending March 31, 1917. 7. How many civil servants were appointed by said Department since October 10, 1911, under the provisions of Section 21 of the Civil Service Act. Presented May 31, 1917.—*Mr. Sinclair*.. .. .. .

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by said Department since 1st of August, 1914. 4. How many temporary civil servants and employees were employed by said Department since August 1, 1914, 5. What was the gross amount paid by said Department for salaries and expenses to both permanent and temporary civil servants and employees for the fiscal year ending March 31, 1914. 6. What was the gross amount paid by said Department for salaries and expenses of all permanent and temporary civil servants and employees for the fiscal year ending March 31, 1917. 7 How many civil servants were appointed by said Department since October 10, 1911, under the provisions of Section 21 of the Civil Service Act. Presented by Hon. Mr. Roche, July 19, 1917.—*Mr. Kyte*.. .. ..*Not printed.*

138*g*. Return to an Order of the House of the 23rd April, 1917, for a return showing:—1. How many permanent civil servants or officials were in the employ of the Department of Agriculture on the 10th day of October, 1911, and how many on the 31st day of March, 1917. 2. How many temporary civil servants and employees of all kinds were in the employ of the said Department on the 10th day of October, 1911, and how many on the 31st of March, 1917. 3. How many permanent civil servants or officials were appointed by said Department since the 1st of August, 1914. 4. How many temporary civil servants and employees were employed by said Department since August 1, 1914, 5. What was the gross amount paid by said Department for salaries and expenses to both permanent and temporary civil servants and employees for the fiscal year ending March 31, 1914. 6. What was the gross amount paid by said Department for salaries and expenses of all permanent and temporary civil servants and employees for the fiscal year ending March 31, 1917. 7 How many civil servants were appointed by said Department since October 10, 1911, under the provisions of Section 21 of the Civil Service Act. Presented August 15, 1917. *Mr. Hughes (P.E.I.)*.. .. ..*Not printed.*

138*h*. Return to an Order of the House of the 2nd May, 1917, for a return showing:—1. How many permanent civil servants or officials were in the employ of the Department of State and Mines on the 10th day of October, 1911, and how many on the 31st of March, 1917. 2. How many temporary civil servants and employees of all kinds were in the employ of the said Department on the 10th day of October, 1911, and how many on the 31st of March, 1917. 3. How many permanent civil servants or officials were appointed by said Department since the 1st of August, 1914. 4. How many temporary civil servants and employees were employed by said Department since August 1, 1914, 5. What was the gross amount paid by said Department for salaries and expenses to both permanent and temporary civil servants and employees for the fiscal year ending March 31, 1911. 6. What was the gross amount paid by said Department for salaries and expenses of all permanent and temporary civil servants and employees for the fiscal year ending March 31, 1917. 7. How many civil servants were appointed by said Department since October 10, 1911, under the provisions of Section 21 of the Civil Service Act. Presented August 21, 1917.—*Mr. McKenzie*.. .. ..*Not printed.*

139. Return to an address to His Excellency the Governor General of the 23rd April, 1917, for a copy of the Order in Council and all other papers in connection with the awarding of the contract to J. C. Shields and others, or to the Inland Express Company for carrying the mails from Ashcroft to Fort George, B.C. Presented May 2, 1917.—*Mr. Turriff*.. .. ..*Not printed.*

140. Return to an Address to His Excellency the Governor General of the 31st January, 1917, for a copy of all correspondence exchanged with the Governement of the Province of Manitoba concerning a statute passed by the Legislature of Manitoba at its last session, entitled, "An Act to amend the Jury Act"; together with copies of all Orders in Council respecting same. Presented May 3, 1917.—*Sir Wilfrid Laurier*.. *Not printed*

141. Return to an Order of the House of the 7th February, 1917, for a return showing:—1. The number of interned aliens, and nationality of each, employed on public works since the 4th August, 1914. 2. The number employed in industrial work in the provinces of Canada, and the nationality of each, since the 1st of August, 1914. 3. The number so employed at the present time. Presented May 3, 1917.—*Mr. Kyte*.. .. .. ..*Not printed.*

CONTENTS OF VOLUME 21—*Continued.*

142. Return to an Order of the House of the 2nd May, 1917, for a copy of the report of the Royal Commission appointed by Order in Council, 20th September, 1916, to inquire into and report upon the conditions in regard to the delivery of cargoes of coal to coasting vessels in the Maritime Provinces. Presented May 7, 1917.—*Mr. Hughes (Kings, P.E.I.)*.. .. ..*Not printed.*

143. Return to an Order of the House of the 31st January, 1917, for a return showing:—1. How many applicants for enlistment in the Canadian Overseas Forces have been rejected on account of being physically unfit. 2. How many have been discharged after enlistment for the same reason. Presented May 7, 1917.—*Mr. Steele*.. ..*Not printed.*

143*a*. Return to an Order of the House of the 30th April, 1917, for a return showing:—1. How many Americans have enrolled in Canadian Regiments since the commencement of the war. 2. How many natives of the British Isles are so enrolled in Canada since the 1st of August, 1914. Presented July 31, 1917.—*Mr. Boulay*.. .. ..*Not printed.*

143*b*. Return to an Order of the House of the 31st January, 1917, for a return showing:—1. How many men have enlisted in Canada for overseas service. 2. How many of these have been subsequently discharged as unfit. 3. How many of these were discharged in Canada, and how many overseas. Presented May 7, 1917.—*Mr. Graham*..*Not printed.*

143*c*. Return to an Order of the House of the 14th May, 1917, for a return showing:—1. Whether the Minister of Militia or any of the authorities of the Militia Department has official statistics as to the recruiting of soldiers in Canada for overseas service. 2. If so, what the correct figures are of enlistments in the different overseas regiments raised since August, 1914, to date (*a*) Canadian speaking the French language; (*b*) Canadians speaking the English language and born in Canada; (*c*) British subjects by birth born outside of Canada; (*d*) British subjects by naturalization; (*e*) British subjects by birth born outside of Canada; (*d*) British subjects by naturalization; (*e*) French Canadian soldiers in regiments commanded by officers speaking the English language raised in the province of Quebec; and (*f*) French Canadian soldiers in battalions raised in the other provinces of Canada. Presented June 14, 1917.—*Mr. Lanctôt*.. .. ..*Not printed.*

143*d*. Copy of Census Statistics showing Summary of Strength of all Units of the Canadian Expeditionary Forces in England, period 14th May, 1917, together with statement showing number of Canadian troops in France, England, in the Near East, St. Lucia and in Canada, June, 1917. Presented by Sir Edward Kemp, June 15, 1917.. ..*Not printed.*

144. P.C. 2314, dated 7th October, 1916, appointing a Special Seed Commissioner and three assistants, with authority to purchase seed wheat to fill requisitions for seed from municipal governing bodies in districts that have suffered crop failure due to the prevalence of rust and frost. Also, P.C. 3073, dated 14th December, 1916, authorizing the Special Seed Commission to purchase seed oats and seed barley to fill requisitions for seed from municipal governing bodies and farmers' organizations in districts where there is no supply. Presented by Hon. Mr. Burrell, May 8, 1917.. .. .. ..*Not printed.*

145. Return to an Order of the House of the 1st February, 1917, for a copy of all communications, reports and documents concerning the alleged treatment of Thos. Kelly, a prisoner in the Stony Mountain Penitentiary. Presented May 9, 1917.—*Mr. Buchanan.* *Not printed.*

146. Copy of Order in Council, P.C. 1183, dated 28th April, 1917, authorizing the granting, at the request of His Majesty's Government in England, of a further 300 miles of rails for use in France in connection with the war. Presented by Hon. Mr. Meighen, May 10, 1917.. .. ..*Not printed.*

146*a*. Return to an Order of the House of the 13th June, 1917, for a return showing:—1. Between what points on the Canadian Northern Railway Line west of Edmonton the rails are to be taken up to be placed on the Grand Trunk Pacific Line. 2. Between what points on the Grand Trunk Pacific Line west of Edmonton the rails of the Grand Trunk are to be replaced by rails of the Canadian Northern Railway. Presented June 14, 1917.—*Mr. Oliver*.. .. ..*Not printed.*

CONTENTS OF VOLUME 21—*Continued.*

146b. Tabulated statement showing list of points on the Eastern Division of the National Transcontinental Railway from which rails were lifted for shipment overseas to France, mileage lifted at each point and replaced with rails from Intercolonial Railway (together with a map accompanying same). Presented by Hon. Mr. Cochrane, June 21, 1917.. .. .. .

CONTENTS OF VOLUME 21—*Continued.*

156. Return to an Order of the House, of the 22nd March, 1916, for a Return showing:—1. The number of conductors, brakemen, drivers and firemen, respectively, who were on duty on the Canadian Government Railways between Moncton and Campbellton during the month of February, 1916. 2. The number of hours each of the above mentioned trainmen and enginemen were on duty each trip between said points during said month of February, 1916. Presented May 21, 1917.—*Mr. Copp*.. .. ..*Not printed.*

157. Report of Exchequer Court proceedings under Section 49A of the Indian Act, in respect to the removal of the Indians from Sydney Reserve, Nova Scotia. Presented by Hon. Mr. Roche, May 22, 1917.. .. ..*Not printed.*

158. Report of the work of the Military Hospitals Commission from its inception to the present date. Presented by Sir Robert Borden, May 23, 1917. .. ..*Not printed.*

159. Copy of correspondence between Members of the Government and the Canadian Manufacturers Association respecting the purchase of supplies for the Canadian Expeditionary Forces in England and at the Front. Presented by Sir Robert Borden, May 23, 1917.. .. ..*Not printed.*

160. Return to an Order of the House, of the 14th May, 1917, for a copy of the correspondence between the Prime Minister and the ex-Minister of Militia and Defence, which led to the latter's resignation or dismissal from the Government. Presented by Sir Robert Borden, May 23, 1917.—*Mr. Hughes (King's, P.E.I.)*.. .. ..*Not printed.*

161. Return to an humble Address of the Senate to His Excellency the Governor General, dated the 26th day of January, 1917, for a statement showing the date and object of all commissions instituted by the Government of the day, since its accession to power in 1911, up to the present date; the number of days during which each of these commissions sat, giving the names of the individuals who formed part of such commissions, and what was the cost of each to the country. *(Senate.)*.. .. .. ..*Not printed.*

161*a*. Part Return to an humble Address of the Senate, dated the 7th day of February, 1917, to His Excellency the Governor General, for:—A statement showing the date, the object and the personnel of all commissions instituted by the late Government from its accession to power in 1896, up to the accession to power of the present Government in 1911, the number of days during which each of these commissions set, and what was the cost of each to the country. *(Senate.)*.. .. ..*Not printed.*

162. Order in Council P.C. 1433, dated 24th May, 1917, containing regulations concerning the departure out of Canada of male persons who are liable to or capable of national service of a military or other character. Presented by Hon. Mr. Roche, May 29, 1917. *Not printed.*

163. Return to an Address to His Excellency the Governor General, of the 23rd May, 1917, for a copy of the Order in Council, if any, providing that preference in appointments to the Civil Service should be given to returned soldiers. Presented May 29, 1917.—*Mr. Boulay*.. .. ..*Not printed.*

164. Return to an Order of the House, of the 3rd February, 1917, for a copy of all reports findings, evidence, memoranda, etc., in connection with the inquiry into the damages sustained by H.M.C.S. *Grilse* en route from Halifax to Bermuda. Presented May 30, 1917.—*Mr. Maclean (Halifax.)*.. .. ..*Not printed.*

165. Return to an Order of the House, of the 14th May, 1917, for a copy of all letters, petitions, correspondence, telegrams and reports in any way referring to the dismissal or retirement of D. McDermid, Superintendent of Fish Hatchery at East Margaree, and the appointment of his successor. Presented May 30, 1917.—*Mr. Chisholm.* *Not printed.*

166. Return to an Order of the House, of the 25th April, 1917, for a copy of all letters, telegrams, reports and other papers and documents relative to the application of Willis Keizer of Hall's Harbour, King's County, N.S., for a license to operate a fishing weir at Square Cove, King's County, N.S. Presented May 30, 1917.—*Mr. Maclean (Halifax.)* *Not printed.*

CONTENTS OF VOLUME 21—*Continued.*

167. Return to an Address to His Excellency the Governor General, of the 23rd April, 1917, for a copy of all correspondence, memoranda, Orders in Council, etc., in reference to the dismissal of Moses H. Nickerson, as Inspector of Life-saving Stations in Nova Scotia. Presented May 30, 1917.—*Mr. Maclean (Halifax)*.. .. ..*Not printed.*

168. Copies of Pension Regulations with amendments and as amended to February 28, 1917, with copies of Orders in Council relating thereto. Presented by Sir Thomas White, May 30, 1917.. .. .. *Printed for sessional papers only.*

168*a*. Copy of Order in Council, P.C. 277, dated 30th January, 1917, regarding pensions of officers or their dependants in respect of the exchange of officers between the Government of Canada and the Imperial Government. Presented by Sir Edward Kemp, August 20, 1917.. .. ..*Not printed.*

169. Return to an Order of the House, of the 14th May, 1917, for a copy of all letters, correspondence, petitions, telegrams and reports between the Minister of Marine and Fisheries and any person or persons in any way referring to the removal of the salmon nets on that portion of the coast of Inverness extending east and west from the mouth of the Margaree River. Presented May 31, 1917.—*Mr. Chisholm*.. .. .. ..*Not printed.*

170. Return to an Order of the House, of the 2nd May, 1917, for a copy of the report of the Commission appointed to investigate the condition of the Military Hospital at Halifax, with a copy of the evidence taken by said Commission at Halifax and all other documents in the possession of the Department of Militia and Defence in connection with such investigation. Presented May 31, 1917.—*Mr. Sinclair*.. .. ..*Not printed.*

171. Return to an Order of the House, of the 7th May, 1917, for a return showing the amount paid or spent by the Department of Militia in advertising for recruits in Canada, showing the persons, firms and corporations to whom the payments were made, up to April 1, 1917. Presented May 31, 1917.—*Mr. Macdonald*.. .. .. ..*Not printed.*

172. Finding of the Court of Inquiry appointed by the Adjutant-General by Orders dated the 1st May, 1917, for the purpose of collecting and recording evidence in connection with the allegations contained in several newspapers that Troop Trains had been stoned passing through Rivière-du-Loup, Quebec, and other places, and for the purpose of collecting and recording any other evidence which, in the opinion of the Members of the Court, in any way relates to or has a bearing on this matter. Presented by Sir Edward Kemp, May 31, 1917.. .. ..*Not printed.*

173. Finding of the Court of Inquiry appointed by the Adjutant-General by Orders dated the 1st May, 1917, for the purpose of collecting and recording evidence in connection with the allegations contained in several newspapers accusing the citizens of Quebec of maltreating or allowing to be maltreated, soldiers returning from the War and passing through or sojourning in Quebec, and for the purpose of collecting and recording any other evidence which, in the opinion of the Members of the Court, in any way relates to or has a bearing on the matter. Presented by Sir Edward Kemp, May 31, 1917.. .. ..*Not printed.*

174. Return to an Order of the House, of the 7th May, 1917, for a copy of all accounts, letters, claims, correspondence and other documents relating to the following amounts mentioned in the Report of the Auditor General 1916, Vol. 11, page L—11:—Mr. Justice L. P. Pelletier, travelling expenses, $877; Mr. Justice L. N. Belleau, travelling expenses, $1,984 44; Mr. Justice T. H. Chauvin, travelling expenses, $1,421 25; Mr. Justice B. LeTellier, travelling expenses, $1,923.80. Presented May 31, 1917.—*Mr. Lanctot*.. .. ..*Not printed.*

175. Return to an Order of the House, of the 30th May, 1917, for a Return showing:—1. The number of persons appointed to permanent position on the Canadian Government Railways from January 1, 1916, to March 31, 1917, who were not previously employed on the said Railways. 2. Their names, salaries and the positions to which they were appointed. Presented May 31, 1917.—*Mr. Copp*.. .. ..*Not printed.*

CONTENTS OF VOLUME 21—*Continued.*

176. Return to an Order of the House, of the 12th February, 1915, for a Return showing how many persons of German nationality are employed in the several Departments of the Federal Government, in what capacity and the salaries received respectively. Presented June 1, 1917.—*Mr. Delisle*.. .. ..*Not printed.*

177. Return to an Order of the House, of the 1st May, 1916, for a copy of all correspondence and papers relating to the change in the location of the post office at Roseberg, Alberta. Presented June 1, 1917.—*Mr. Buchanan*.. .. ..*Not printed.*

178. Return to an Order of the House, of the 8th May, 1916, for a copy of all correspondence, letters and telegrams relating to the dismissal of Augustin D. Lauteigne as Postmaster of Island River, Gloucester County, N.B. Presented June 1, 1917.—*Mr. Turgeon.*
Not printed.

179. Return to an Order of the House, of the 31st January, 1917, for a copy of all letters and telegrams in the Post Office Department in reference to the removal of Pearson's Post Office, Township of Casey, in the Constituency of Nipissing, from where it was located to its present location. Presented June 1, 1917.—*Mr. Turriff*.. ..*Not printed.*

180. Return to an Order of the House, of the 5th February, 1917, for a copy of all letters, reports, papers and other documents relative to the dismissal of John R. McIntosh as Postmaster of Cummings Mountain, Pictou County, and the appointment of James Cummings as his successor. Presented June 1, 1917.—*Mr. Macdonald*.. ..*Not printed.*

181. Return to an Order of the House, of the 2nd May, 1917, for a Return showing:—The gross amount paid by the Government since October, 1911, to H. P. Duchemin, of Sydney, N.B., for services and disbursements under the Public Inquiries Act, or otherwise. Presented June 1, 1917.—*Mr. Sinclair*.. .. ..*Not printed.*

182. Return to an Order of the House, of the 3rd February, 1917, for a copy of all correspondence, letters, telegrams and other documents concerning the cancelling by the Post Office Department of the rural mail contract granted to Hyppolite Lambert of St. Antoine, in the County of Lotbinière, Que. Presented June 1, 1917.—*Mr. Fortier.*
Not printed.

183. Reports, pursuant to a Resolution of the House adopted on the 18th May, 1916, based on a recommendation of the Joint Committee of both Houses on Printing of Parliament, requesting information from the several Departments of Government with the view to effecting all possible economy in the matter of public printing and the distribution of public documents, and the extent, if any, to which such recommendations have been carried into effect. Presented by Hon. Mr. Patenaude, June 1, 1917.. ..*Not printed.*

184. Return to an Order of the House, of 21st May, 1917, for a copy of all correspondence, reports and recommendations, if any, from the Grain Commission to the Department of Trade and Commerce or any other Department of the Government at Ottawa, following a meeting of the Grain Commissioners held in Lethbridge this year. Presented June 1, 1917.—*Mr. Buchanan*.. .. ..*Not printed.*

185. Order in Council passed in conformity with provisions of 4-5 George V., Chapter 20, S-15 (C. N. Railway.)—(*The Senate*).. .. ..*Not printed.*

186. Return to an Order of the House, of the 3rd February, 1917, for a return showing the quantity and value of exports in following commodities for the first nine months of present fiscal year:—Horses; brass and manufacturers of same; wheat, breadstuffs; oats and grain other than wheat; automobiles, bicycles, motorcycles and parts of same, including engines and tires; railway cars and parts; chemicals; copper and manufactures of same; cotton manufactures; explosives; iron and steel and manufactures of same; firearms and munitions; leather and manufactures of same; meat and dairy products; alcohol; vegetables, dried and canned; lead; wearing apparel of all kinds; zinc and manufactures of same; paper and manufactures of same. Presented June 4, 1917.—*Mr. Maclean (Halifax)*... .. ..*Printed for sessional papers only.*

CONTENTS OF VOLUME 21—*Continued.*

187. Return to an Order of the House, of the 30th April, 1917, for a copy of all documents, correspondence, letters, telegrams, memoranda and reports exchanged between the Sergeant-at-Arms of the House of Commons and the Honourable Albert Sévigny; the Sergeant-at-Arms and the Justice Department, and between the Department of Justice and the Honourable Albert Sévigny, concerning certain effects, furniture and ornaments connected with the Speaker's Apartments. Also, copy of all accounts, receipts, bills of lading and transportation accounts concerning the said effects, furniture and ornaments. Presented June 5, 1917.—*Mr. Lanctot*.. .. ..*Not printed.*

188. Copy of Order in Council P.C. 1457, dated the 29th May, 1917, respecting pay to members of the Civil Service who join the Military forces of Canada either by voluntary enlistment or otherwise from and after the date hereof. Presented by Sir Thomas White, June 6, 1917... .. ..*Not printed.*

189. Copy of General Reports of W. F. O'Connor, K.C., Acting Commissioner *re* Cost of Living, concerning the production, cost, selling prices, and distribution system of refined sugar. Presented by Hon. Mr. Crothers, June 6, 1917

Printed for distribution and sessional papers.

190. Copy of Reports of W. F. O'Connor, on the subject of the Anthracite Coal business in Canada. Presented by Hon. Mr. Crothers, June 6, 1917.

Printed for distribution and sessional papers.

191. Return to an humble Address of the Senate to His Excellency the Governor General, dated the 22nd of May last, showing a copy of:—All correspondence exchanged between the Government or its Ministers, the Minister of Militia, the Militia Council, Major-General F. L. Lessard, C.B., Inspector-General, or any other person, and Lieutenant-Colonel Armand Lavergne, O.C., the 61st Regiment or any other person, on the subject of the territorial defence of the Province of Quebec, as well as copy of all Orders in Council or documents relating to this subject.—(*Senate*).. .. ..*Not printed.*

192. Copy of Order in Council, P.C. 1579, dated 8th June, 1917, appointing a Fuel Controller for Canada. Presented by Sir George Foster, May 12, 1917.

Printed for sessional papers only.

192*a*. Copy of Order in Council, P.C. 1460, dated 16th June, 1917, *re* the appointment of an Officer to be known as Food Controller for Canada, and specifying his powers and duties. Presented by Sir Robert Borden, June 19, 1917.

Printed for sessional papers only.

193. Copy of Order in Council, P.C. 1604, dated 11th June, *re* the establishment of "The Board of Grain Supervisors of Canada." And also, Copy of Order in Council, P.C. 1605, dated 11th June, 1917, appointing certain persons as members of "The Board of Grain Supervisors of Canada." Presented by Sir George Foster, May 12, 1917.

Printed for sessional papers only.

194. Copies of Census Statistics of male population of Canada, Census of 1911, between the ages of 20 and 45, both years inclusive, according to conjugal condition and nativity. Presented by Sir Edward Kemp, June 13, 1917.

Printed for sessional papers only.

195. Copies of The King's Regulations and Orders for the Army, 1912, re-printed with amendments published in Army Orders up to 1st August, 1914. Presented by Sir Edward Kemp, June 13, 1917... .. ..*Not printed.*

196. Copies of Manual of Military Law, War Office, 1914. Presented Sir Edward Kemp, June 13, 1917.. .. ..*Not printed.*

197. Copy of Order in Council, P.C. 987, dated 10th April, 1917, as amended by Order in Council No. 1451, dated 25th May, 1917: Regulations, being as Consolidation of and additions to various Orders in Council made in consequence of the War, the whole to be known as the "Defence of Canada Order, 1917." Presented by Hon. Mr. Hazen, June 13, 1917... .. ..*Not printed.*

CONTENTS OF VOLUME 21—*Continued.*

198. Return to an Order of the House, of the 14th May, 1917, for a copy of all letters, petitions, correspondence, telegrams and reports in any way referring to dismissal, retirement or resignation of John McDonald, as Janitor of public building at Inverness, and the appointment of his successor. Presented June 15, 1917.—*Mr. Chisholm. Not printed.*

199. Return to an Order of the House, of the 14th May, 1917, for a copy of all letters, petitions, correspondence, telegrams and reports received by the Government since September, 1911, to the present day, in any way referring to the extension and repairs to McKay's Point Wharf, Inverness County. Presented June 15, 1917.—*Mr. Chisholm*.. .. .. .

CONTENTS OF VOLUME 21—*Continued.*

206. Letter of the Honourable E. L. Patenaude, M.P., to the Right Honourable the Prime Minister, resigning his position as Secretary of State for Canada, and the letter of the Prime Minister in acknowledgment thereof. Presented by Sir Robert Borden, June 18, 1917.. .. .. .

CONTENTS OF VOLUME 21—*Continued.*

of Alberta, and the officials of the Alberta and Eastern British Columbia Coal Operators' Association, concerning the requests made by the Miners for an increase in wages due to the increase in the cost of living, between September 1, 1916, and the present time. Presented July 12, 1917.—*Mr. Buchanan*.. .. ..*Not printed.*

213. Return to an Order of the House, of the 13th June, 1917, for a Return showing:—1. How many battalions of infantry left Canada with the First Contingent? 2. The number, and the designations of the different units of artillery which left with the First Contingent? 3. The number and the designation of the different medical corps which left Canada with the First Contingent? 4. The number and the designation of all the other units which left with the First Contingent? 5. The names, rank and duties of the supernumerary officers who left with the First Contingent. Presented June 26, 1917.—*Mr. Lachance*.. .. ..*Not printed.*

214. Return to an Address to His Excellency the Governor General, of the 30th May, 1917, for a copy of all correspondence, letters, cables and other documents exchanged between the Imperial Government or any of its members or officials with the Canadian Government or any of its members or officials, relative to the question of the proposed legislation by the Imperial Parliament to validate certain Acts and proceedings of the Legislature of British Columbia. Presented June 27, 1917.—*Mr. Macdonald*.. .. ..*Not printed.*

215. Return to an Order of the House, of the 4th June, 1917, for a copy of all correspondence between the Chief of the *Hansard* Translation Staff of the House, the Clerk of the House and the Speaker, since April 19, 1917, to date. Presented June 28, 1917.—*Mr. Lemieux*.. .. ..*Not printed.*

216. Return to an Order of the House, of the 27th March, 1916, for a return showing the amounts paid by the Federal Government from the 1st July, 1896, to the 1st October, 1911, to the following newspapers: Le *Canada*, *La Presse*, *La Patrie*, *Le Pays*, of Montreal, *La Vigie* and *Le Soleil*, of Quebec. Presented June 28, 1917.—*Mr. Boulay*.. .. ..*Not printed.*

217. Return to an Order of the House, of the 3rd May, 1917, for a Return showing the number of employees of the following Departments after 1896, and after 1911, respectively, viz.:—Inland Revenue, Interior, Public Works, Marine and Fisheries, Militia and Defence, Labour and Department of Trade and Commerce. Presented June 28, 1917.—*Mr. Boulay*.. .. ..*Not printed.*

218. Return to an Order of the House, of the 7th May, 1917, for a Return showing the number of returned soldiers who have been given employment in the various departments of the Government. Presented June 28, 1917.—*Mr. Lemieux*.. ..*Not printed.*

219. Return to an Order of the House, of the 25th June, 1917, for a copy of the reports made by the Penitentiary Surgeons in connection with the release from Penitentiary of Edward Levi Baugh. Presented July 4, 1917.—*Mr. Murphy*.. .. ..*Not printed.*

220. Return to an Order of the House, of the 21st May, 1917, for a return giving the names and salaries of employees of the Interior and Indian Departments, (*a*) Inside Service and (*b*) Outside Service, who volunteered for overseas service, and who were paid their full civil salary in addition to their military pay and allowances.

Those who volunteered for overseas service and who were paid a sufficient portion of their civil salary in addition to their military pay and allowances to bring their pay up to the amount of their civil salary.

Those who volunteered for overseas service and who received consideration (stating consideration) on account of their civil employment in addition to their military pay and allowances.

Those who volunteered for overseas service and who do not receive any consideration on account of their civil employment in addition to their military pay and allowances. Presented July 5, 1917.—*Mr. Oliver*.. .. ..*Not printed.*

CONTENTS OF VOLUME 21—*Continued.*

221. Report of Special Trade Commission to Great Britain, France and Italy, May-September, 1916. Presented by Sir George Foster, July 5, 1917... ..*Not printed.*

222. Return to an Order of the House, of the 13th June, 1917, for a Return showing:—1. The total expenditure connected with Agriculture by the Federal Government in each of the fiscal years from 1904-05 to 1916-17, inclusive. 2. How much money was set apart by the Agricultural Aid Act of 1912 to assist the Provincial Departments of Agriculture to improve and extend their work? 3. How much of above amount was given to each Province, and what was accomplished in each Province as a result of such assistance? 4. How much money was set apart by the Federal Government under the Agricultural Instructions Act of 1913, and under the provisions of the said Act what amounts were respectively allotted each year to the several Provinces? 5. What the general purpose of said Act is, and to what extent that purpose has been made effective in each Province. Presented July 5, 1917.—*Mr. Edwards.*
Printed for sessional papers only.

223. Return to an Order of the House, of the 11th June, 1917, for a Return showing:—1. Whether Mr. Giard, ex-M.P.P. for Compton, is an employee of the Government? 2. If so, since when? 3. The number of employees under his orders and their respective names? 4. What salary does said Giard receive? 5. The salary of each employee under his charge? 6. Whether he has bought, for the Government, any animals for breeding purposes? 7. If so, how many, and the price paid for each? 8. Where these animals were bought? 9. How many of them have been rejected or returned to the Government or to Mr. Giard? 10. If any have been refused or returned, why? 11. Where the said breeding animals are at present? 12. What the Government or the Department of Agriculture intends to do with the animals so refused and returned to Mr. Giard? Presented July 5, 1917.—*Mr. Gauvreau* *Not printed.*

224. Return to an Address to His Excellency the Governor General, of the 31st January, 1917, for a copy of all documents, letters, messages, correspondence, reports and particularly an Order in Council dated 6th December, 1898, respecting the exemption from military service of the Doukhobors. Presented by Hon. Mr. Roche, July 9, 1917. —*Mr. McCraney*.. .. ..*Not printed.*

225. Return to an Address to His Excellency the Governor General, of the 31st January, 1917, for a copy of all Orders in Council and other documents on file in the Department of Marine and Fisheries relating to the requisitioning of Canadian ships by the Canadian Government. Presented July 11, 1917.—*Mr. Sinclair*.. .. .. ..*Not printed.*

226. Return to an Order of the House of the 7th June, 1917, for a return showing the number of recruiting officers which have been appointed in the province of Quebec, with the names, addresses, nature of functions and salaries of the same. Presented July 11, 1917.—*Mr. Carvell*.. .. ..*Not printed.*

226a. Return to an Order of the House of the 18th June, 1917, for a return showing:—1. The names and addresses of the parties on Prince Edward Island who have been engaged or who are now engaged in recruiting for the army and navy or doing other work of a like military character, since August, 1914. 2. The remuneration or pay each of the said parties receives and the allowance given for travelling or other expenses. 3. The total amount each person has received up to the 1st of June, 1917. Presented July 31, 1917.—*Mr. Hughes (P.E.I.)*.. .. ..*Not printed.*

227. Return to an Order of the House of the 12th April, 1916, for a return showing:—1. How many clerks there are in the Post Office Department who belong to and are paid from the outside service vote, and who work in the inside service. 2. The names of said clerks. 3. Salary paid to each. 4. How long each has been in the service of the Department. 5. If all or any of the clerks have passed any examination. If so, what examination, and on what date or dates. Presented July 14.—*Mr. Turriff*..*Not printed.*

228. Copy of a memorandum presented by the Southern Slav Committee to the representatives of the British Dominions, setting forth the aims and aspirations of the Jugo-slavs (Serbs, Croats and Slovens) subject to Austro-Hungarian rule. Presented by Sir Robert Borden, July 20, 1917.. .. ..*Not printed.*

CONTENTS OF VOLUME 21—*Continued.*

229. Claims made by Minister of Justice relating to payment of duties by certain provinces. (*Senate.*).. .. ..*Not printed.*

230. Copy of Report of Honourable Sir Ezekiel McLeod, Chief Justice of the Province of New Brunswick, and the Honourable Louis Tellier, retired Judge of the Superior Court of the Province of Quebec, Commissioners appointed under the Inquiries Act of Canada, being Revised Statutes of Canada, 1906, Chapter 104 and Amending Acts, by virtue of an Order in Council passed on the 6th June, 1917, whereby the said Commissioners were empowered and directed to conduct an inquiry and investigation for the purpose of reviewing and considering the evidence taken by Mr. Justice Galt, a Commissioner appointed by the Lieutenant-Governor of Manitoba on the 15th day of July, 1916, to investigate and report upon certain matters of concern to the Local Government of the said province, in the execution of such Commission, and to review and consider his reports and findings on such evidence; and to report whether such evidence sustains or supports the findings of the said Commissioner, as set forth in such reports, in so far as they reflect upon or prejudicially affect the honour or integrity of the Hon. Robert Rogers or the honesty of his dealings or transactions. Presented by Hon. Mr. Doherty, July 27, 1917.. ..*Printed for distribution—Members and Senators only.*

230*a*. Copy of evidence, exhibits, etc., in respect to the Report of Honourable Sir Ezekiel McLeod, Chief Justice of the Province of New Brunswick, and the Honourable Louis Tellier, retired Judge of the Superior Court of the Province of Quebec, Commissioners appointed under the Inquiries Act of Canada, being Revised Statutes of Canada, 1906, Chapter 104 and Amending Acts, by virtue of an Order in Council passed on the 6th June, 1917, whereby the said Commissioners were empowered and directed to conduct an inquiry and investigation for the purpose of reviewing and considering the evidence taken by Mr. Justice Galt, a Commissioner appointed by the Lieutenant-Governor of Manitoba on the 15th day of July, 1916, to investigate and report upon certain matters of concern to the Local Government of the said province, in the execution of such Commission, and to review and consider his reports and findings on such evidence; and to report whether such evidence sustains or supports the findings of the said Commissioner as set forth in such reports, in so far as they reflect upon or prejudicially affect the honour or integrity of the Hon. Robert Rogers, or the honesty of his dealings or transactions. Presented by Hon. Mr. Doherty, August 9, 1917.. .. ..*Not printed.*

231. Return to an Order of the House of the 13th June, 1917, for a copy of all correspondence, letters, telegrams and other papers relating to a contract for carrying mails between Grand River and Fourchu, in the County of Richmond, Nova Scotia, in the years 1916 and 1917. Presented July 28, 1917.—*Mr. Kyte*.. .. ..*Not printed.*

232. Return to an Order of the House of the 30th April, 1917, for a copy of all papers, letters, telegrams and documents relative to the purchase of land in Vancouver, B.C., for the purpose of an armoury, since January 1, 1913. Presented July 30, 1917.—*Mr. Macdonald*.. .. ..*Not printed.*

233. Return to an Order of the House of the 1st February, 1917, for a return showing:—1. The names and present rank of all appointees as Chief Recruiting Officers or as District or Special Recruiting Officers, not local or regimental, made since the beginning of the war. 2. The dates of their respective appointments. 3. The ages and vocations of respective appointees. 4. The name of military organization, if any, in which appointees had previously served. 5. The rank of appointees while serving in any military organization. 6. Whether the services of any of these appointees have been dispensed with. 7. If so, their names, and dates on which they were retired. Presented July 31, 1917.—*Mr. Turriff*.. .. ..*Not printed*

234. Return to an Order of the House of the 31st January, 1917, for a return showing:—1. The date of the last order given by the Government to the Ross Rifle Company. 2. The number of rifles ordered. 3. Whether a recommendation of the British Army Council for the utilization of existing Canadian facilities in manufacturing the new and improved Lee-Enfield was received by the Government. 4. The date of the recommendation, and when it was received. 5. Whether the recommendation has been acted upon. Presented July 31, 1917.—*Mr. Turriff*.. .. ..*Not printed.*

CONTENTS OF VOLUME 21—*Continued.*

235. Return to an Order of the House of the 20th June, 1917, for a return showing:—1. The names of the members of the military staff at North Vancouver. 2. Their respective duties or occupations. 3. The rank and rate of pay of each. 4. The amount that has been paid to each. 5. Upon what date or dates the members of the said staff enlisted, and how long they have been attached to the staff. Presented July 31, 1917.—*Mr. Murphy*.. .. .. .

CONTENTS OF VOLUME 21—*Continued.*

240. Return to an Order of the House of the 13th June, 1917, for a statement showing the travelling expenses of Maurice LeBlanc, general foreman of the Department of Public Works, Bonaventure County, since his appointment to date. Presented August 8, 1917. —*Mr. Marcil (Bonaventure)*.. .. ..*Not printed.*

241. Return to an Order of the House of the 30th April, 1917, for a copy of all letters, petitions, correspondence and telegrams exchanged between the Government, the resident engineer and all other persons concerning the dredging work done at Ste. Anne de Bellevue, Pointe Fortune, Ottawa River channel between Ile au Foin and Ile Paquin, Graham channel, Rigaud channel, Hudson Heights channel, Ile Perrot Church, Ile Perrot South wharf and Ile Perrot North wharf, since 1904. Also a statement showing the amounts paid to different persons or companies for such work, giving the dates of payment, along with a copy of the estimates already brought down at my request regarding the above, previous to 1904. Return to an Order of the House of the 30th April, 1917, for a copy of all letters, petitions, correspondence, telegrams and reports exchanged between the Government, the resident engineer of the district, and all other persons, concerning the dredging work done since 1901 at the wharf of Ile Perrot North, South and the Church, Dorion Bay channel, Vaudreuil Village channel, Pointe Cavagnal, Como, Hudson Heights channel, Graham channel, Rigaud River channel, Ottawa River, Iles aux Poires channel, Pointe Fortune and Ste. Anne de Bellevue channel. Also a statement showing the amount of money paid to divers persons, companies, etc., for such works, along with copy of statements already presented at my request in connection with the same work, previous to 1904. Presented August 8, 1917. —*Mr. Boyer*.. .. ..*Not printed.*

242 Return to an Order of the House of the 14th May, 1917, for a copy of all letters, petitions, correspondence, telegrams and reports received by the Government since September, 1911, to the present day, in any way referring to the extension and repairs to Finlay Point wharf. Presented August 8, 1917.—*Mr. Chisholm*.. .. .. ..*Not printed.*

243. Return to an Order of the House of the 30th April, 1917, for a copy of all correspondence in the possession of the Department of Public Works bearing date after September 1, 1915, relating to wharves, breakwaters and other public works situate in the County of Antigonish, Nova Scotia. Presented August 8, 1917.—*Mr. Sinclair*.. .. ..*Not printed.*

244. Return to an Order of the House of the 7th May, 1917, for a copy of all documents, correspondence, reports, accounts, pay-lists, etc., in connection with the work done on the Government wharves at Cross Point, Miguasha, St. Omer and New Carlisle, Quebec, since 1912. Presented August 8, 1917.—*Mr. Marcil (Bonaventure)*... ..*Not printed.*

245. Return to an Order of the House of the 14th May, 1917, for a copy of all letters, petitions, correspondence, telegrams and reports received by the Government since September, 1911, to the present day, in any way referring to the wharf at Marble Mountain. Presented August 13, 1917.—*Mr. Chisholm*.. .. ..*Not printed.*

246. Return to an Order of the House of the 14th May, 1917, for a copy of all letters, petitions, correspondence, telegrams and reports received by the Government since September, 1911, to the present day, in any way referring to the extension of the pier at Margaree Harbour. Presented August 13, 1917.—*Mr. Chisholm*.. .. .. ..*Not printed.*

246*a*. Return to an Order of the House of the 14th May, 1917, for a copy of all letters, petitions, correspondence, telegrams and reports received by the Government since September, 1911, to the present day, in any way referring to the breakwater at Margaree Harbour. Presented August 13, 1917.—*Mr. Chisholm*.. .. ..*Not printed.*

247. Return to an Order of the House of the 14th May, 1917, for a copy of all letters, petitions, correspondence, telegrams and reports received by the Government since September, 1911, to the present day, in any way referring to the Port Hood wharf. Presented August 13, 1917.—*Mr. Chisholm*.. .. ..*Not printed.*

CONTENTS OF VOLUME 21—*Continued.*

248. Return to an Order of the House of the 14th May, 1917, for a copy of all letters, petitions, correspondence, telegrams and reports received by the Government since September, 1911, to the present time, in any way referring to the opening of Inverness Harbour. Presented August 13, 1917.—*Mr. Chisholm*.. .. ..*Not printed.*

249. Return to an Order of the House of the 23rd April, 1917, for a copy of all papers, documents, petitions, memoranda, correspondence, etc., with reference to the Government of the Dominion of Canada building competing telephone lines in British Columbia paralleling lines already in operation of the Okanagan Telephone Company, Limited. Presented August 13, 1917.—*Mr. Carvell*.. .. ..*Not printed.*

250. Return to an Order of the House of the 30th April, 1917, for a copy of all correspondence in the Department of Public Works bearing date after September 1, 1915, relating to wharves, breakwaters and other public works in the County of Guysborough, Nova Scotia. Presented August 13, 1917.—*Mr. Sinclair*.. .. ..*Not printed.*

251. Return to an Order of the House of the 30th April, 1917, for a copy of all papers, records and other documents concerning the reference by the Dominion Government to the question relating to the exclusive right of fishing in the tidal waters of the province of Quebec. Presented August 15, 1917.—*Mr. Lemieux*.. .. ..*Not printed.*

252. Return to an Order of the House of the 9th July, 1917, for a return showing the names of all persons employed in connection with the Office of the Commissioner of Live Stock in the Province of Saskatchewan, showing the salaries and expenses paid them; and also showing the number of stallions and bulls placed in Saskatchewan when the said office was established. Presented August 15, 1917.—*Mr. Thomson (Qu'Appelle)*.
Not printed.

253. Return to an Order of the House of the 14th May, 1917, for a copy of all letters, telegrams and reports between the Department of the Naval Service of the Department of Marine and Fisheries, and any and all persons in connection with the seizure of certain fishery boats, fishing tackle and equipment being used in the illegal fishing of lobsters in the Straits of Northumberland in the fall of 1916, together with a copy of the evidence taken before one M. G. Teed, Esquire, acting as a commissioner to inquire into this matter, and his report and finding thereon. Presented August 16, 1917.—*Mr. Copp*.
Not printed.

254. Return to an Order of the House of the 30th July, 1917, for a copy of all correspondence between the Department of Militia and Defence of Canada, the War Purchasing Commission of Canada, and the British War Office, concerning a target practice rod or the use of same by the Canadian Expeditionary Force. Presented August 20, 1917.—*Mr. Maclean (Halifax)*.. .. ..*Not printed.*

255. Return to an Order of the House of the 7th June, 1917, for a return showing:—1. Whether the Department of Agriculture supply thoroughbred bulls for improvement of stock to applicants for the same. 2. If so, if any such bulls have been sent into the County of Dorchester, Quebec, and when. 3. At whose request these bulls were sent, and if they belonged to the Department of Agriculture. 4. If so, on what condition they were supplied. 5. From whom the department purchased the animals referred to 6. The price paid. 7. If any official of the Department of Agriculture has made an investigation as to where these bulls are at the present time. 8. If so, the substance of their report. 9. Whether the said bulls are being used for the purpose for which they were intended. Presented August 21, 1917.—*Mr. Lanctôt*.. .. ..*Not printed.*

256. Return to an Order of the House of the 1st August, 1917, for a return showing the amount which has been paid to the Sydney *Daily Post*, newspaper, by all the departments of the Government for printing and advertising, since the 1st of November, 1911. Presented August 21, 1917.—*Mr. Kyte*.. .. ..*Not printed.*

257. Return to an Order of the House of the 1st August, 1917, for a return showing the gross amount paid to the Halifax *Herald*, the *Evening Mail*, Halifax, and the Royal Print and Lithographing Company, Halifax, by all the departments of the Government for printing, advertising and all other services since November 1, 1911. Presented August 21, 1917.—*Mr. Sinclair*.. .. ..*Not printed.*

CONTENTS OF VOLUME 21—*Continued.*

258. Return to an Order of the House of the 18th June, 1917, for a copy of all accounts, papers, claims and correspondence regarding demands put forward by all persons who have claimed to have sustained loss or damage by the fire in the Parliament Buildings in February, 1916. Presented August 21, 1917.—*Mr. Lanctôt*.. .. ..*Not printed.*

259. Return to an Order of the House of the 14th May, 1917, for a copy of all communications, letters, reports, petitions and other documents on behalf of the Physicians and Medical Associations of this country, asking for the repeal of The Proprietary or Patent Medicine Act and the presentation of a new Act on the matter in order to render more efficient the control of these medicine preparations, and to add on the prohibition list such drugs or medicines as are generally dangerous to health and conducive to certain criminal practices. Presented August 21, 1917.—*Mr. Lapointe (Kamouraska).*

Not printed

260. Copy of correspondence between the Honourable Robert Rogers and the Right Honourable Sir Robert Borden, Prime Minister, with reference to the resignation of the former as Minister of Public Works of Canada.—(*The Senate.*).. .. ..*Not printed.*

261. Return to an Order of the Senate dated the 11th day of July, 1917, for a Statement showing the number of officers and men of the Canadian Expeditionary Force who have been classed as unfit for military service; whether the military authorities have given consideration to the possibility of utilizing the services of those men in a secondary capacity; whether those who have been classed as unfit continue to draw military pay; the number who have deserted from the various units between 1st October, 1914, and 1st June, 1917; and the number discharged from the various units since 1st October, 1914.—(*The Senate.*).. .. ..*Not printed.*

262 Return to an Order of the Senate, dated 7th June last, for a return showing:—1. The name and rank of each person who at the outbreak of the war in August, 1914, was an officer, commissioned or provisional, of the 78th Regiment (Highlanders), of Pictou County, Nova Scotia. 2. The length of time each of such persons was attached to said regiment. 3. (*a*) The name of each of said officers who joined the Canadian Overseas Forces. (*b*) The unit to which he was attached. (*c*) The rank with which he was attached. (*d*) The date at which he was attached. 4. The name of each person who since the outbreak of war became attached as provisional officers to said 78th Regiment and the date at which such person became attached and his rank. 5. (*a*) The name of each of the officers referred to in paragraph 4 who joined the Canadian overseas forces. (*b*) The unit to which he was attached. (*c*) The rank with which he was attached. (*d*) The date at which he was attached. 6. The name of each of the officers referred to in each of the foregoing paragraphs who were in active service at the fighting front, the units with which they served, and the length of time they served. 7. Particulars as to each of the said officers showing where each one was on May 1, 1917, to what unit he was attached, and what his rank was at that time. 8. If any of these officers have gone to the fighting front since May 1, state name, unit, rank and date.—(*The Senate.*)

Not printed.

263. Part return to an humble Address of the Senate to His Excellency the Governor General, dated the 8th instant, showing all the correspondence between the Department of Militia and Defence and Clarence J. McCuaig; also, between the same and the first Purchasing Committee appointed by Sir Robert Borden, of which the Honourable Robert Rogers was Chairman, and between the said Clarence J. McCuaig and the Committee of which the Honourable Sir Edward Kemp is or was Chairman, or with any of the members of the said committee.—(*The Senate.*).. .. ..*Not printed.*

264. Eighth Annual Report of the Commission of Conservation for the fiscal year ending 31st March, 1917. Presented by Hon. Mr. Burrell, September 1, 1917.. .. .. ..*Not printed*

265. Return to an Order of the House of the 30th August, 1917, for a return showing:—1. The number of additional buildings and offices that have been rented by the various departments of the Government in the City of Ottawa during the calendar years, 1914, 1915, 1916 and 1917. 2. The names of the lessors, the length of the lease and the respective rentals of said buildings. 3. What department in each case is occupying said premises. Presented September 3, 1917.—*Mr. Sinclair*.. .. ..*Not printed.*

CONTENTS OF VOLUME 21—*Continued.*

266. Return to an Order of the House of the 11th July, 1917, fo a copy of all correspondence and other documents relating to the granting to beam trawlers registered in the United States the privilege of using ports in the Province of Nova Scotia for the purchasing of supplies, the shipping of men, etc., without license therefor as required under the modus vivendi. Presented September 3, 1917.—*Mr. Kyte*.. .. .. *Not printed.*

267. Copy of contract dated 8th March, 1917, between His Majesty the King and Wallace Shipyards, Limited, for the construction and delivery of one wooden auxiliary sailing ship. Also,—Copy of contract dated 1st June, 1917, between His Majesty the King and Lamond and Harrison for the construction and delivery of one wooden auxiliary sailing ship. Presented by Hon. Mr. Cochrane, September 3, 1917.. .. ..*Not printed.*

268. Return to an Order of the Senate, dated the 15th day of June last, for a return made to an Order of the House of Commons, of the 7th February, 1916, for a copy of all correspondence and reports on the claims of Sealers of British Columbia under the last treaty with the American Republic, and all papers connected therewith.—(*The Senate.*) *Not printed.*

269. Copy of Order in Council, P.C. 2245, dated 3rd September, 1917, appointing the Deputy Minister of Justice, Oliver Mowat Biggar, of the City of Edmonton, John H. Moss, of the City of Toronto, Louis Loranger, of the City of Montreal, and Lt.-Col. H. A. C. Machin, of the Town of Kenora, Ont., a council to advise and assist in the administration and enforcement of the Military Service Act, 1917, to be known as the Military Service Council. Presented by Sir Robert Borden, September 4, 1917.. ..*Not printed.*

270. Return to an Order of the House of the 21st May, 1917, for a copy of all reports, letters, telegrams, correspondence and any other papers in connection with the question of locating the 210th Battalion at Regina and Moosejaw respectively during the winter of 1916-17. Presented September 6, 1917.—*Mr. Knowles*.. .. ..*Not printed.*

271. Return to an Order of the House of the 14th May, 1917, for a copy of all letters, correspondence, telegrams and reports received by the Government since September, 1911, to the present day, in any way referring to the appointment of a man in charge of the storm signals at Grand Etang and Margaree Harbour. Presented September 6, 1917.—*Mr. Chisholm*.. .. ..*Not printed.*

272. Return to an Order of the House of the 7th May, 1917, for a return showing the different rural mail routes established in the constituency of Qu'Appelle since the 1st day of January, 1916, showing their location and date of establishment. Also, a list of all rural mail routes now being established or under consideration at the present time in the same constituency. Presented September 7, 1917.—*Mr Thomson* (*Qu'Appelle*). *Not printed.*

273. Return to an Order of the House of the 6th March, 1916, for a copy of all telegrams, letters, petitions and documents of all kinds in any way referring to the change in the Inverness-Margaree mail route from the west to the east of the Margaree river, from a point at Margaree Forks to Chapel Bridge. Presented September 7, 1917.—*Mr. Chisholm*.. .. ..*Not printed.*

274. Copy of Order in Council, P.C. 2199, dated 10th August, 1917: Rules and Regulations enacted in lieu of the Classification, Rules and Regulations contained in Order in Council, P.C. 1296, of the 15th May, 1917, in respect to War badges for members of the Canadian Expeditionary Force. Presented by Sir Edward Kemp, September 13, 1917. *Not printed.*

275. Copy of Order in Council, P.C. 2272, dated 13th September, 1917, recommending that Certificates of Naturalization may be issued under the Naturalization Act, 1914, to alien enemies who have resided for many years in Canada, on its being shown that they are clearly in sympathy with the United Kingdom and its allies in the present war, and that they have no pro-German or other alien enemy affiliations or connections. Presented by Sir Robert Borden, September 14, 1917.. .. ..*Not printed.*

CONTENTS OF VOLUME 21—*Concluded.*

276. Copy of *Canada Gazette* dated 12th September, 1917, containing a list and location of Local Tribunals established to hear and decide applications for certificates of exemption from Military Service. Presented by Hon. Mr. Doherty, September 14, 1917.
Not printed.

277. Copies of Orders in Council, dated 15th September and 17th September, 1917, respectively, appointing Registrars for the Provinces of British Columbia, New Brunswick, Quebec, Saskatchewan, Manitoba, Ontario, Alberta and Prince Edward Island, under the provisions and for the purposes of the Military Service Act, 1917. Presented by Sir Robert Borden, September 17, 1917.. .. .. .

ELEVENTH REPORT

OF THE

BOARD OF RAILWAY COMMISSIONERS OF CANADA

FOR THE YEAR ENDING MARCH 31

1916

PRINTED BY ORDER OF PARLIAMENT

OTTAWA
PRINTED BY J. DE L. TACHE,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1917

[No. 20c—1917.]

THE BOARD OF RAILWAY COMMISSIONERS FOR CANADA.

SIR H. L. DRAYTON, K.C., *Chief Commissioner.*

D'ARCY SCOTT, *Assistant Chief Commissioner.*

HON. W. B. NANTEL, K.C., LL.D., *Deputy Chief Commissioner.*

S. J. MCLEAN, M.A., LL.B., Ph.D., *Commissioner.*

A. S. GOODEVE, *Commissioner.*

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REPORT

OF THE

BOARD OF RAILWAY COMMISSIONERS

FOR CANADA.

To the Governor in Council:

Pursuant to the provisions of section 62 of the Railway Act, as amended by section 12 of chapter 32, 8-9 Edward VII, the Board of Railway Commissioners for Canada has the honour to submit its Eleventh Report for the year ending March 31, 1916.

Since the submission of the Board's last report the Railway Act has been amended under and by virtue of chapter 2, 6-7 George V, entitled An Act to amend the Railway Act, assented to the 7th March, 1916. The following is the amendment referred to:

6-7 GEORGE V, CHAP. 2.

AN ACT TO AMEND THE RAILWAY ACT.

(Assented to 7th March, 1916.)

His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The Railway Act, chapter 37 of the Revised Statutes, 1906, is amended by inserting the following section immediately after section three hundred and seventeen thereof:—

"317A. If the company is unable or fails to provide sufficient facilities for the movement of grain from the Western Provinces to the elevators at the head of Lake Superior, or to destinations east thereof, after the close of navigation on the Great Lakes and before the next harvest, and grain in certain sections or districts cannot by reason thereof be marketed, the Board may require the said company to furnish all facilities within its powers for the carriage of such grain in such sections or districts to any intermediate point or points of interchange with another company or any terminal elevator, and there to make delivery thereof to such other company or companies or to such elevator for carriage by such other company or companies as the Board may direct; and the Board may require such other company or companies to transport such grain and supply the necessary cars and engines therefor, and the rates lawfully published and filed by the company in default and obtaining on its route shall apply over the joint route or routes so directed and shall be apportioned between the companies as the Board may direct."

PUBLIC SITTINGS OF THE BOARD.

During the year covered by the period from April 1, 1915, to March 31, 1916, the Board held 60 public sittings, at which 474 applications were heard. The number of public sittings held in the various provinces were as follows:—

In the province of	Ontario	43
" "	Quebec	5
" "	Nova Scotia	1
" "	Manitoba	3
" "	Saskatchewan	2
" "	Alberta	4
" "	British Columbia	2

The applications heard at the above sittings of the Board include a variety of matters falling within its jurisdiction under the Railway Act, from the complaint of a private individual to larger matters of general public interest affecting the community as a whole.

FORMAL AND INFORMAL MATTERS.

The number of informal matters dealt with by the Board, as distinguished from matters heard at public sittings, constitutes a considerable percentage of the total applications and complaints dealt with by the Board, that is to say, out of a total of 2,803 applications and complaints received and dealt with by the Board only 20⅔ per cent were set down for formal hearing, and 79⅓ per cent were disposed of without the necessity of a formal hearing. These informal complaints that are dealt with and settled without the necessity of a hearing, in many instances entail a considerable amount of inquiry and consideration on the part of the Board's officers and cover a wide range of subjects, such as, for example, a complaint of a more or less trivial matter to a matter of general public interest as affecting the community at large involving the application of a general principle in regard to a railway rate.

A list of the formal complaints heard at the various sittings of the Board, together with the disposal made thereof, will be found under Appendix "B," and a list of the informal matters dealt with by the Board will be found under Appendix "A."

RAILWAY GRADE CROSSING FUND.

In accordance with the provisions of section 7, of 8-9 Edward VII, chapter 32, entitled an Act to amend the Railway Act, provision was made that the sum of $200,000 each year, for five consecutive years from the 1st day of April, 1909, was appropriated and set apart from the Consolidated Revenue Fund for the purpose of aiding in the providing by actual construction works of protection, safety, and convenience for the public in respect of highway crossings of the railway at rail level, in existence on the said 1st day of April, the said sums to be placed to the credit of a special account to be known as "The Railway Grade Crossing Fund," to be applied by the Board, subject to certain limitations set out in the amending Act, solely towards the cost (not including that of maintenance and operation) of actual construction work for the purpose specified.

In dealing with such crossings, the Board issued, between the 1st day of April, 1909, and March 31, 1916, 341 Orders providing protection as follows:—

By	electric bells	208
"	gates	83
"	subways	49
"	overhead bridges	20
"	diversion of highways	16
"	closing of streets	2
"	removal of view obstructions	2
	Total number of crossings protected	380

It will be seen by comparing the total number of crossings protected with the Tenth Annual Report of the Board that the increase for the year ending March 31, 1916, in the number of crossings protected, numbers 30, made up as follows:—

By electric bells	23
" gates	3
" subways	3
" diversion of highway	1
" removal of view obstruction	1
Increase in number of crossings protected	30

NOTE.—Thirty crossings and thirty-one protections consequent on account of two, bells being ordered at one crossing.

In connection with the granting of aid to protective works under this fund, attention is again directed to the fact that the Board has found that the limitation imposed by the Act has prevented contributions being made in as large a degree as would seem to be proper in the public interest in connection with the larger schemes for elimination of grade crossings. Such works in the larger cities will run into amounts exceeding $100,000, and occasionally as high as several million dollars, so that the limitation of $5,000 (not to be applied to more than three crossings in any one municipality, or more than once to any one crossing), fixed by the Act, would be a mere fraction of the total amount involved.

GENERAL DECISIONS AND RULINGS OF THE BOARD.

Submitted herewith are some of the more important matters dealt with by the Board at its public sittings for the year ending March 31, 1916. The various judgments "in extenso" will be found under Appendix "C" to this report.

GENERAL ORDERS ISSUED BY THE BOARD.

The following is a brief statement of some of the matters dealt with under General Orders of the Board:—

Approval of an amendment to the Express Classification No. 3 containing provisions for the proper packing of moving picture films with the object of safeguarding the travelling public and the companies' employees.

Suspension of proposed advance in commodity rates of various classes of general merchandise and commodities shown in Supplement 26 to Canadian Pacific Railway Company's tariff C.R.C. No. E. 2480.

Provision for the amendment of the Board's General Order No. 102 by adding "Headlight Equipment" to the clause dealing with hand-rails and steps for headlights.

Provision for the alteration of Section No. 5 of subsection (c) of the form of Express Merchandise Receipt by providing that any loss or damage caused by delay or by injury to or loss or destruction of the shipment or any part thereof, from conditions beyond the control of the company, unless such loss or damage is caused by the railway company upon whose trains or property the shipment was at the time such loss or damage occurred; also providing for the affixing of a printed label to every shipment of goods indicating in a conspicuous manner whether the charges have been prepaid or are payable by the consignee.

Provision for the more prompt refunding of money to holders of unused railway tickets either in whole or in part.

In the matter of the intent of Section 335 of the Railway Act regarding the form of Concurrence Certificate to be used in notifying the Board of assent to or concurrence in joint tariffs or supplements thereto, applicable between points in Canada.

Disallowance of tolls of railway companies for cleansing and disinfecting live-stock cars in excess of the toll of 75 cents per car, and confirmation of the toll not exceeding 75 cents for such purpose.

In the matter of the collection of advances for seed grain, fodder for animals and other goods by way of relief, furnished to persons in the Provinces of Alberta and Saskatchewan under the authority of chapter 20 of the Acts of 1915, and the Order of the Board No. 7562 dated July 15, 1909, approving the forms of Bills of Lading for use in Canada by the Railway Companies.

Provision fixing the terms under which any municipal corporation, independent telephone company or system may connect its long-distance telephone system with that of the Bell Telephone Co. of Canada.

Provision fixing the regulations governing baggage car traffic in Canada.

Provision for the supply and movement of refrigerator cars for the carriage of vegetables in carload lots, and fixing the maximum tolls for the use of such refrigerator cars to be charged in addition to the tolls published and filed for the same movements in ordinary box cars.

In the matter of section 321 of the Railway Act and of any proposed new issue of the Canadian Freight Classification or any proposed supplement to the issue then current.

Provision that pending the revision of the present Canadian Freight Classification, railway companies subject to the Board's jurisdiction, shall publish and file commodity tariffs in regard to cream pasteurizers in less than carload lots.

In the matter of the profile of railway companies whose lines commence, terminate or intersect with any of the lines listed in the work entitled "Altitudes in Canada."

In the matter of sectons 321 and 348 of the Railway Act and Express Classification for Canada.

Amendment to Rule 93 of the Uniform Code of Rules for Canadian Railways by providing that by night or in foggy or stormy weather, proper lights be placed on cars or engines obstructing main tracks within yard limits.

Provision that railway companies subject to the Board's jurisdiction report to the Board embargoes of any kind whether such embargoes are placed by companies subject to the Board's jurisdiction or by any carrier having connection with them.

Regulations for the uniform maintenance of way Flagging Rules for impassable tracks.

Approval of telegraph conditions on telegraph forms used by telegraph companies subject to the Board's jurisdiction on which messages to be transmitted are to be written.

Approval of tariffs of tolls of telegraph companies within the territory west of Sudbury, Ont., and between the points east of Sudbury and west thereof in both directions.

COWICHAN RATEPAYERS' ASSOCIATION V. CANADIAN PACIFIC RY. CO.

Where the underlying principle of competition by water affects the whole toll structure, a point unaffected by such competition, is not unjustly discriminated against in not receiving as favourable tolls as points that are affected.

The facts are fully set out in the judgment of Chief Commissioner Drayton, February 15, 1915. 18 Can. Ry. Cas., 395.

CITY OF LACHINE V. GRAND TRUNK RY. CO.

The well defined policy of the Board in cases where there is no evidence of any dedication of a way of communication to the public by a railway company across its tracks is that the entire expense of grade separation necessary to carry the subway under the existing tracks of a railway company should be borne by the applicant municipality.

Village of Weston v. Grand Trunk and Canadian Pacific Ry. Cos. (Denison Avenue Crossing Case), 7 Can. Ry. Cas. 79; Town of St. Pierre v. Grand Trunk Ry. Co. (Simplex Avenue Crossing Case), 13 Can. Ry. Cas. 1; City of Montreal v. Canadian Pacific Ry. Co., 18 Can. Ry. Cas. 50, followed.

Application to have a foot subway opened where it intersects Sixth avenue on the south side and Seventh avenue on the north side of the tracks of the respondent, and to apportion the cost between the parties.

The facts are fully set out in the judgment of Assistant Chief Commissioner Scott, February 24, 1915, 18 Can. Ry. Cas., 385.

STANDARD CRUSHED STONE CO. V. GRAND TRUNK RAILWAY CO.

Section 225 of the Railway Act applies to spurs or branch lines ordered under sec. 226 as well as to branch lines authorized under sec. 222. The lands necessary for a spur constructed under sec. 226 are therefore to be acquired by agreement or expropriation in the same manner as lands for other railway purposes. Consequently where lands so required are owned by the applicant for the spur, and the applicant has not been compensated for them in accordance with the Act, they do not become vested in the railway company by the mere operation of sec. 226, sub-sec. 5, upon refund of the cost of the spur by means of rebates.

Boland v. Grand Trunk Ry. Co., 18 Can. Ry. Cas., 60, followed.

The facts are fully set out in the judgment of the Chief Commissioner, April 7, 1915. 18 Can. Ry. Cas., 374.

SUDBURY BREWING AND MALTING CO. V. CANADIAN PACIFIC RY. CO.

No instance can be found where a milling-in-transit privilege on the by-product has been granted, apart altogether from the main product, a brewing company, therefore, is not entitled to a milling-in-transit privilege on the offal of malt grain carried by the respondent on its line from Fort William to Sudbury, and there brewed in the applicant's brewery.

Shippers are not entitled to a milling-in-transit privilege as a matter of right, and its allowance in the public interest by carriers to shippers in one section must be without unjust discrimination to shippers in another section served by its line.

Koch v. Pennsylvania Ry. Co., 10 I.C.C.R., 675; Ontario & Manitoba Flour Mills v. Canadian Pacific Ry. Co., 16 Can. Ry. Cas., 430, followed.

The facts are fully set out in the judgment of Chief Commissioner Drayton, April 7, 1915. 18 Can. Ry. Cas., 410.

STEEL COMPANY OF CANADA V. TORONTO, HAMILTON AND BUFFALO RY. CO.

It is a principle of tariff-making to break the toll groups at flag stations or unimportant points as far as practicable. Acting upon this principle the Board refused an application to distribute the zones in respondents' City of Hamilton terminals, within which interswitching tolls of 1 cent and 1½ cents per 100 pounds respectively prevailed.

The facts are fully set out in the judgment of Chief Commissioner Drayton, May 6, 1915. 18 Can. Ry. Cas., 339.

ERNESTOWN RURAL TELEPHONE CO. V. BELL TELEPHONE CO.

Under an agreement between telephone systems imposing "another line" charge in addition to the long-distance tolls of the Bell Company, "each party to receive its own charge and the party on whose line the call originates shall collect and be

responsible for such charge, provided, however, that the Bell Company shall not be obliged to collect and be responsible for the Proprietor's charge if the Proprietor fails to collect a like charge on messages originating on the Proprietor's system," the obligation in respect of the "other line" charge is mutual, that is to say, if the Bell Company is asked to collect the charge of the applicant company in respect of the message originating on the Bell Company's line the applicant company must similarly collect in respect of a message originating on its own line, and this obligation attaches to all calls.

Application for a ruling as to the meaning of Clause 8 of the Standard Form of Connecting Agreement between the respondent and the independent telephone companies.

The facts are fully set out in the judgment of Mr. Commissioner McLean, May 17, 1915. 18 Can. Ry. Cas., 325.

SINCLAIR V. WINDSOR, ESSEX AND LAKE SHORE RAPID RY. CO.

A shipment of household goods, originating at Kingsville, consigned to Bridgeburg, Ontario, was delivered by the Windsor, Essex and Lake Shore Rapid Ry. Co. to the Canadian Pacific Ry. Co. at Lake Shore Junction, and by that line delivered to the Grand Trunk Ry. Co. at London—the initial carrier, without instructions from the owners having chosen a route at a higher toll than that available via Michigan Central Ry. from Lake Shore Junction to Bridgeburg, and being under obligation, in the absence of specific instructions as to the routing off its own lines, to send the goods forward on the lowest toll combination available, should make adjustment accordingly.

The facts are fully set out in the judgment of Mr. Commissioner McLean, May 22, 1915. 18 Can. Ry. Cas., 344.

CUNEO FRUIT AND IMPORTING CO. V. GRAND TRUNK RY. CO.

Under the Railway Act, the statutory duties of the railway company to furnish facilities relate, in so far as the terminal station is concerned, merely to the unloading and delivery of the goods and to not include facilities for their sale; thus the prohibitions against undue preference or unjust discrimination in furnishing facilities do not apply to the failure or refusal of a railway company to allot space to a wholesale fruit firm in a building owned by it used by other fruit dealers as a market into which railway tracks run.

In *re* Western Tolls, 17 Can. Ry. Cas., 123, pp. 148 to 156; Twin City Transfer Co. v. Canadian Pacific Ry. Co., 15 Can. Ry. Cas., 323 followed; Purcell v. Grand Trunk Pacific Ry. Co., 13 Can. Ry. Cas., 191; Donovan v. Pennsylvania Ry. Co., 199 U.S.R., 279; South Western Produce Distributors v. Wabash Ry. Co., 20 I.C.C.R., 458; Cosby v. Richmond Transfer Co., 20 I.C.C.R., 72; Perth General Station Committee v. Ross (1897), A.C., 479, at pp. 482, 483; Barker v. Midland Ry. Co., 18 C.B. 46, referred to.

Application to direct the respondent to allot space to the applicant on the ground that its failure or refusal to do so was unjust discrimination.

The facts are fully set out in the judgment of Chief Commissioner Drayton, June 23, 1915. 18 Can. Ry. Cas., 414.

DESROCHES V. BELL TELEPHONE CO.

Under the provisions of sec. 315, a clergyman is entitled to be charged the residence toll and not the business toll for the use of the telephone installed in his residence.

Application to direct the respondent to cease charging the business toll to the applicant for his telephone and restore the residence toll.

The facts are fully set out in the judgment of Assistant Chief Commissioner Scott, July 8, 1915, 18 Can. Ry. Cas., 322.

TWO CREEK GRAIN GROWERS' ASSOCIATION V. CANADIAN PACIFIC RY. CO.

Difference in density of traffic as between main and branch lines does not affect the application of a standard freight mileage tariff, therefore, all points, whether on a main or branch line, within the same mileage group, should be given the same toll and it is unjust discrimination to make a different toll against one point of the group.

Application to direct the respondent to give same freight tolls between Winnipeg and Elkhorn, on the one hand, and Winnipeg and Two Creeks, on the other, on the ground of unjust discrimination.

The facts are fully set out in the judgment of Mr. Commissioner McLean, July 28, 1915. 18 Can. Ry. Cas., 403.

VILLAGE OF MONT LAURIER V. CANADIAN PACIFIC RAILWAY CO.

The opening of a highway across the lands taken for right of way of a railway company is a new public right over it, and the cost of its construction and maintenance should be borne by the applicant municipality .

Application for three crossings over the right of way of the respondent.

The facts are fully set out in the judgment of Chief Commissioner Drayton, September 8, 1915. 18 Can. Ry. Cas., 387.

OSTRANDER V. CANADIAN PACIFIC, CANADIAN NORTHERN AND GRAND TRUNK PACIFIC RY. COS.

It is in the public interest that there should be no congestion of the railway facilities at elevator terminals. Accordingly, an application for switching cars of grain to private elevators at Fort William after the cars had been placed for unloading at other elevators was refused.

Under the provisions of sec. 8 of the Bulk Grain Bill of Lading, delivery may be made at any of the elevators at Port Arthur, Fort William, or West Fort, without waiting 48 hours after written notice of arrival has been sent or given.

The facts are fully set out in the judgment of Mr. Commissioner McLean, September 30, 1915. 19 Can. Ry. Cas., 251.

CANADIAN PACIFIC RY. CO. V. MONTREAL CORN EXCHANGE ASSOCIATION.

A stop-over privilege of 72 hours after arrival at Cartier is sufficient time for a trader to decide where to send his grain, and an extra toll should be paid for cars remaining on hand waiting for furtherance orders after the expiration of that period.

Application to make an extra toll for cars remaining on hand at Cartier waiting for furtherance orders, after the expiration of 72 hours stop-over privilege from time of arrival.

The facts are fully set out in the judgment of Chief Commissioner Drayton, November 4, 1915. 19 Can. Ry. Cas., 258.

TAYLOR AND CANADIAN FLOUR MILLS CO. V. CANADIAN PACIFIC AND PERE MARQUETTE RY. COS.

The toll for the milling in transit privilege does not include the toll for interswitching necessary to take the traffic from the line of one railway company to another. Anchor Elevator Warehousing and Northern Elevator Cos. v. Canadian Northern and Canadian Pacific Ry. Cos., 9 Can. Ry. Cas., 175, followed.

Complaint against the charge made by the respondent, Pere Marquette R.R. Co., for interswitching from the transfer track between the lines of the respondents to the complainants' mills in addition to the charge for milling in transit privilege made by the respondent Canadian Pacific Ry. Co.

The facts are fully set out in the judgment of Chief Commissioner Drayton, March 31, 1916. 19 Can. Ry. Cas., 264.

TOWNSHIP OF LOUGHBOROUGH V. CANADIAN NORTHERN RY. CO.

Where the total freight and passenger earnings on a section of railway are unremunerative, the Board will not order the former train service to be restored, but where, under a by-law of the municipality, in consideration of a bonus of $5,000, the railway company's predecessor in title undertook to run a train from Sydenham to Harrowsmith in the forenoon and one back in the afternoon every week day, and if the company should at any time hereafter "fail to . . . run said train, they can only do so upon repaying said bonus of $5,000 to said municipality," it was held that this obligation was not met by running a train leaving Sydenham at 1.59 a.m. and arriving at Harrowsmith at 2.09 a.m., and that the bonus must be repaid unless the morning service was restored.

Application directing the respondent to restore the former train service between Sydenham, Harrowsmith Junction and Kingston.

The facts are fully set out in the judgment of Chief Commissioner Drayton, September 30, 1915. 19 Can. Ry. Cas., 276.

QUEBEC CENTRAL RAILWAY CO. V. DOMINION LIME CO.

The Board has no power to authorize a refund from a toll properly quoted under a tariff duly filed. However, under sec. 338, a joint tariff cannot be cancelled without a new one being filed in substitution thereof, and a railway which charged a toll under a cancelled joint tariff, was authorized to make a refund of the difference between such toll and that chargeable under the substituted tariff.

Application as to whether a refund on an overcharge of freight tolls can be made in favour of the respondent on a car of lime shipped from Lime Ridge to Stanstead, P.Q.

The application was disposed of on material on file with the Board.

The facts are fully set out in the judgment of Mr. Commissioner McLean, October 2, 1915. 19 Can. Ry. Cas., 281.

TOWN OF ST. LAMBERT V. MONTREAL AND SOUTHERN COUNTIES RAILWAY CO.

Where a railway company laid "T" rails for an electric railway upon the street of a municipality under an agreement and confirmatory by-law containing the provisions "the said rails to be level with the existing roadbed and that gravel be placed and maintained in good order by the company between the rails and two feet on either side thereof," such company is not bound at the request of the municipality, at a later date, to construct a permanent foundation of any character and pave between the rails. The Board has jurisdiction under secs. 5 and 26A (8 and 9 Edw. VII, ch. 32) and may authorize the municipality, at its own expense, to change railway grade to conform to the altered grade of the highway, and if it desires to surface the railway right of way in the same way and with the same foundations as the adjacent highway, the railway company contributing such portion of the cost as represents its contractual liability to lay gravel between the tracks and two feet on either side thereof.

Application directing the respondent to level its rails, place them upon permanent foundations, pave between the tracks and on the sides thereof on certain streets in the applicant town and requiring that the work be done at the cost of the respondent.

The facts are fully set out in the judgment of Chief Commissioner Drayton, Oct. 19, 1915. 19 Can. Ry. Cas., 283.

SASKATCHEWAN BOARD OF HIGHWAY COMMISSIONERS V. CANADIAN NORTHERN RAILWAY CO.

When a railway is sought to be crossed by a highway the Board will give authority for the construction of the crossing, as long as it is unobjectionable and is constructed in accordance with the standard regulations of the Board, on terms that the cost, under the senior and junior rule, is not thrown on the respondent railway company. The local authorities will determine whether or not to construct the crossing.

Application of the Board of Highway Commissioners for the Province of Saskatchewan to authorize the crossing of a street over the station grounds of the respondent at its expense.

Application was disposed of on material on file with the Board.

The facts are fully set out in the judgment of Chief Commissioner Drayton, missioner Nantel, December 29, 1915. Can. Ry. Cas., 298.

COUNTY OF PONTIAC V. CANADIAN PACIFIC RAILWAY CO.

In the Province of Quebec, as distinguished from Ontario, there are no road allowances, highways being opened across railways (1) by resolution or by-law emanating from the municipal authority, (2) by the Lieutenant-Governor in Council under sec. 2052, R.S.Q., 1909, (3) by dedication and prescription. Where there is nothing in the application to show that the highway concerned was opened before the railway under any of the above heads, the crossing should be authorized at the municipality's expense.

Township of Caldwell v. Canadian Pacific Ry. Co., 9 Can. Ry. Cas., 497, distinguished.

Application to extend a municipal highway over the tracks of the respondent.

The facts are fully set out in the memorandum judgment of Deputy Chief Commissioner Nantel, December 29, 1915. 19 Can. Ry. Cas., 298.

IN *re* GENERAL INTERSWITCHING ORDER.

The General Interswitching Order is not a mandatory order requiring interswitching wherever possible, but merely a regulative order fixing tolls to be charged when interswitching service is performed.

Cartage equalization, and the substitution of cartage for interswitching, are not wholly prohibited by paragraph 11 of the General Interswitching Order (No. 4988, July 8, 1908, 7 Can. Ry. Cas., p. 332), but are permissible so long as the carrier complies with its obligations under sec. 315, to observe equality in its treatment of shippers, and also sets out the free service in a clear and definite tariff published in accordance with the Act.

Canadian Manufacturers' Association v. Canadian Freight Association. General Interswitching Order, 7 Can. Ry. Cas., 302, followed.

Application to authorize cartage equalization and the practice of substituting free cartage for interswitching.

The facts are fully set out in the judgment of Assistant Chief Commissioner Scott, Jan. 29, 1916. 19 Can. Ry. Cas., 376.

IN *re* JOINT TOLLS AND CONCURRENCE.

Under sec. 338 (1) no joint toll can be disregarded by the carriers until it has been superseded or disallowed by the Board. If the carriers desire to get relief from concurrence in joint tolls they must apply to the Board making out a case justifying the extension of such relief.

The application was disposed of on material on file with the Board.

The facts are fully set out in the judgment of Chief Commissioner Drayton, December 14, 1915. 19 Can. Ry. Cas., 379.

SPANISH RIVER PULP AND PAPER MILLS V. CANADIAN PACIFIC RAILWAY COMPANY.

Tariffs are not to be construed by intention. They are to be construed according to their language.

Where a tariff prescribing certain tolls is headed for "machinery," although the articles contained in the item are those used in connection with tanning, the same tolls are available for machinery of other types such as for a pulp mill.

Application directing the respondent to settle the claims for overcharge on machinery.

The facts are fully set out in the judgment of Mr. Commissioner McLean, December 31, 1915. 19 Can. Ry. Cas., 381.

MILK SHIPPERS V. GRAND TRUNK, CANADIAN PACIFIC AND NEW YORK CENTRAL AND HUDSON RIVER RY. COS.

As a general order for milk in carloads (C.L.) would be practically ordering a paper tariff and little or no milk would move under it, the Board will not fix a C.L. toll based upon a minimum number of cans of milk. The general order providing that shippers supply men to assist in unloading empty milk cans was affirmed.

Application for a reconsideration of the general order requiring shippers to supply a man to assist in unloading empty milk cans, and the question of the general transportation of milk.

The facts are fully set out in the judgment of Mr. Commissioner Goodeve, January 15, 1916. 19 Can. Ry. Cas., 383.

IN *re* CARTAGE TOLLS.

Under the Railway Act, cartage is not a railway service or facility, although by the interpretation clause, sec. 2 (30), "toll" includes charges for cartage, it is not included in any tariff of tolls approved by the Board for line haul. The question of who should pay cartage is a matter of contract between the consignor and consignee and the Board should not attempt to interfere between them.

Sowerby v. Great Northern Ry. Co., 60 L.J., Q.B. 467, 65 L.T., 546; Stewart v. Canadian Pacific Ry. Co., 11 Can. Ry. Cas., 197, followed.

Application directing the railway companies to cease collecting the cartage tolls from consignees.

The facts are fully set out in the judgment of Chief Commissioner Drayton, November 22, 1915. 19 Can. Ry. Cas., 389.

MATHIAS V. CANADIAN PACIFIC, CANADIAN NORTHERN AND GRAND TRUNK PACIFIC RY. COS.

Dried fruit is carried eastward from the Pacific Coast under tariffs giving a blanket toll of $1.10 from San Francisco to, e.g., St. Paul, Duluth, Buffalo and New York. The same toll is applied to junction points adjacent to the international

boundary, and there is the same toll to Winnipeg. The toll to Toronto is the same as to Buffalo, while Montreal has the same toll in competition with New York. The toll to Fort William is the toll to Duluth, plus the by water toll from Duluth to Fort William and wharfage charges at Fort William. Competition is thus more effective in favour of Toronto than Fort William. There being no movement of dried fruit via Winnipeg and Fort William to Toronto—the traffic moving through United States points only—therefore there is no violation of the long and short haul clause, sec. 315 (5), and the existing toll adjustment has not been shown to work detrimentally to Fort William.

Application for a toll of $1.10 on dried fruit from San Francisco, Cal., to Fort William, Ont., on the ground that the toll of $1.22½ was excessive, and that it is a violation of the long and short haul clause since Winnipeg and Toronto are points to which a traffic movement to Fort William would be intermediate.

The facts are fully set out in the judgment of Mr. Commissioner McLean, September 24, 1915. 19 Can. Ry. Cas., 410.

KELOWNA BOARD OF TRADE V. CANADIAN PACIFIC RY. CO.

Upon the evidence of cost of service the Board fixed $1.75 per car as the proper toll for handling carload freight traffic between car barge and land team tracks or private sidings at Kelowna, B.C.

Kelowna Board of Trade v. Canadian Pacific Ry. Co., 15 Can. Ry. Cas., 441, referred to.

Complaint against the toll of $2.50 per car made by the respondent for handling cars from the dock at Kelowna to and from the various warehouses.

The facts are fully set out in the judgment of Mr. Commissioner McLean, October 13, 1915. 19 Can. Ry. Cas., 415.

LONDON BOARD OF TRADE V. EXPRESS TRAFFIC ASSOCIATION.

A mere statement as to difference of tolls is not conclusive as showing the existence of unjust discrimination or undue preference; there must be evidence of the traffic moving and the effect thereon, and the discrimination must be one creating actual detriment to complainants to make it unjust.

Application complaining that there was unjust discrimination in favour of Toronto in express tolls from that city as compared with those charged from London, Ont.

The facts are fully set out in the judgment of Mr. Commissioner McLean, September 24, 1915. 19 Can. Ry. Cas., 420.

CONGREAVE V. CANADIAN PACIFIC RAILWAY COMPANY.

A carrier's obligation at a station to its passengers is to provide proper facilities for their arrival and departure, but it is not permitted to discriminate between passengers so using its facilities by secs. 284 and 317.

Twin City Transfer Co. v. Canadian Pacific Ry. Co., 15 Can. Ry. Cas., 323, 16 Can. Ry. Cas., 435; Cuneo Fruit and Importing Co. v. Grand Trunk Ry. Co., 18 Can. Ry. Cas., 414, followed.

Application directing the respondent to allot a suitable place at its station for the purpose of receiving guests for the applicant's hotel.

The facts are fully set out in the judgment of Mr. Commissioner McLean, October 8, 1915. 19 Can. Ry. Cas., 423.

BANFF LIVERY AND BUSMEN V. CANADIAN PACIFIC RY. CO.

A carrier may allot space in its stations to transfer companies on different terms for each without coming within the inhibitions as to discrimination contained in secs. 284, 317.

The obligations of a carrier are to provide proper facilities for the arrival and departure of passengers, subject to regulations for proper policing of its station premises within which the allotment of space falls.

Twin City Transfer Co. v. Canadian Pacific Ry. Co., 15 Can. Ry. Cas., 323, 16 Can. Ry. Cas., 435, followed.

Application to deal with the matter of station platform privileges at Banff.

The facts are fully set out in the judgment of Mr. Commissioner McLean, October 13, 1915. 19 Can. Ry. Cas., 425.

CITY OF WOODSTOCK V. GREAT NORTH-WESTERN TELEGRAPH CO.

The Board has no jurisdiction under the Railway Act to direct that telegraph wires be put under ground with a view to effecting an aesthetic betterment or street improvement.

Grand Trunk Pacific Ry. Co. v. Fort William Land Owners, Fort William Land Investment Co., et al (1912), A. C. 224, at p. 225, 13 Can. Ry. Cas., 187, followed.

Application to direct the respondent to put its lines of wires underground.

The facts are fully set out in the judgment of Mr. Commissioner McLean, January 14, 1915. 19 Can. Ry. Cas., 429.

VILLAGE OF FORWARD V. CANADIAN PACIFIC RY. CO.

Where a spur is built by a railway company, under an Order of the Board to handle C.L. traffic, the carrier has fulfilled its obligation when it places a car on the spur for discharging or receiving of traffic. The Board has no jurisdiction to direct the respondent to acquire land on such spur for the purpose of leasing it to the applicants for a coal shed site.

Application for an order directing the respondent to acquire a suitable site for a shed for the storage of coal.

The facts are fully set out in the judgment of Mr. Commissioner McLean, January 21, 1916. 19 Can. Ry. Cas., 434.

CITY OF LONDON V. LONDON STREET RY. CO.

The Board has jurisdiction, under secs. 8, 29, 32 and 227, to order a single track crossing (provided under an order of the Railway Committee of the Privy Council) of a Dominion railway by a Provincial street railway, to be changed to a double track crossing, in the public interest. The applicant which made the application for the double track crossing was ordered to furnish the necessary diamonds, and the street railway company to pay interest at 7 per cent upon the expense incurred by the applicant, the street railway company to lay the necessary tracks and connections.

Application directing the respondent to lay and maintain a double track across the tracks of the Grand Trunk Ry. Co., at Richmond street, in the city of London.

The facts are fully set out in the judgment of Chief Commissioner Drayton, April 7, 1916. 19 Can. Ry. Cas., 436.

IN *re* TELEGRAPH TOLLS.

In determining what are reasonable tolls for telegraph messages in Canada, the tolls charged for similar services in the United States may be taken into consideration, but these comparisons are merely informative, not conclusive.

Canadian Oil Cos. v. Grand Trunk, Canadian Pacific and Canadian Northern Ry. Cos., 12 Can. Ry. Cas., 355; Manitoba Dairymen's Association v. Dominion and Canadian Northern Express Cos., 14 Can. Ry. Cas., 142, followed.

The Great North-Western Telegraph Company is under statutory obligation (45 Viet., ch. 93, sec. 14) not to exceed a toll of twenty-five cents for ten words, and one cent for each additional word, on all messages between points in Ontario, Quebec, Nova Scotia and New Brunswick.

The continuance, under statutory obligation, of a twenty-five cent telegraph toll within Ontario, Quebec, Nova Scotia and New Brunswick, while higher tolls are charged in other zones, is no evidence of undue discrimination or undue preference; nor does the anomaly created by these uniform low tolls within a very large zone, justify the Board in establishing the same tolls, or equally large zones, elsewhere.

The ultimate test of discrimination is to be found, not in a difference of tolls, but in the question whether as a result of this difference injury is caused to an individual or a locality.

Michigan Sugar Co. v. Chatham, Wallaceburg and Lake Erie Ry. Co., 11 Can. Ry. Cas., 253; Wegenast v. Grand Trunk Ry. Co. (Brampton Commutation Rates Case), 8 Can. Ry. Cas., 42, affirmed; City of Toronto and Town of Brampton v. Grand Trunk and Canadian Pacific Ry. Cos. (Brampton Commutation Rates Case No. 2), 11 Can. Ry. Cas., 370, followed.

The element of distance is a much less important factor in fixing telegraph tolls than in fixing tolls for freight, though the cost of the pole line mileage and wire line mileage has some influence. In railway transportation, increase of distance means increase of haulage cost, whereas telegraph transmission is practically instantaneous, the increase of plant investment is localized and the cost factor does not vary (so far as actual transmission is concerned), with the movement of the particular message. Therefore freight tolls, generally speaking, may properly be made on a distance basis (the zone system being adopted only under special circumstances as a result of competition of markets or water competition); but it is more convenient and is in fact a matter of practical necessity to adopt a zone system in fixing telegraph tolls.

Western Ontario Municipalities v. Grand Trunk, Michigan Central and Pere Marquette Ry. Cos., 18 Can. Ry. Cas., 329, at pp. 332, 334, referred to.

Though distance is not so directly nor so largely a factor in the cost of telegraph service as of railway transportation, it is by no means entirely negligible; it should be considered in fixing zone areas and tolls should be based on distance to a greater extent than they have been in the past.

The division of a through toll as between companies is primarily an inter-company matter and does not directly concern the public, provided the total toll is reasonable.

The value of a telegraph service, as evidenced by the extent to which it receives public patronage, is not a safe criterion of the reasonableness of the tolls charged for it, though the public may be willing to pay these tolls rather than be deprived of it.

In a general enquiry into the tariff of tolls of telegraph companies the Board took into consideration, so far as available, the value of the plant employed, the cost of construction or reproduction and equipment of the several telegraph lines, the right of way and the facilities afforded them by railway companies, the proportion of railway business to commercial business over lines owned or operated by railway companies, the distances covered, the volume of business done in the past, the prospects for future business, the probability of increased competition, the cost of operation and the gross and net returns and promulgated an amended table of reasonable maximum tolls upon the zone system based on a transcontinental toll of $1.00.

British Columbia News Co. v. Express Traffic Association, 13 Can. Ry. Cas., 176, at p. 177, referred to.

Application for approval of tariffs of tolls within the territory west of Sudbury, and between points east and west of it, in both directions, and that the said tolls into and out of Winnipeg be not approved; however, thereafter it was decided that a recommendation should be made by the Board to the Minister of Justice so that government counsel to conduct a general investigation into telegraph tolls should be provided.

The application was heard at various places and times. Finally, however, after printed submissions had been filed with the Board, and after delay owing to the outbreak of the war, it was disposed of.

The facts are fully set out in the judgment of Mr. Commissioner McLean, March 29, 1916. 20 Can. Ry. Cas., 1.

CANADIAN NORTHERN RY. CO. V. GRAND TRUNK RY. CO.

Notwithstanding continued failure of a railway company, as lessee, to meet its obligations to another railway company, as lessor, for existing privileges in connection with the joint use of station premises, the lessor may be required to extend further privileges to the lessee in such premises, if it be shown that such further privileges are necessary to enable the lessee to afford proper convenience and facilities to the public.

Application directing the respondent to allow the applicant the privilege of having its tickets on sale at the ticket office operated by the respondent, and the Canadian Pacific Railway Co. jointly, in the train shed of the Union Station, Toronto.

The facts are fully set out in the judgment of Chief Commissioner Drayton, November 18, 1915. 20 Can. Ry. Cas., 67.

OAKDALE GRAIN GROWERS' ASSOCIATION V. GRAND TRUNK PACIFIC RY. CO.

Where the earnings at a station, apart from grain, form a considerable percentage of the total earnings, amounting to at least $15,000, a permanent agent should be appointed. The expression "principally" in section 5 of the General Order No. 54, dated January 6, 1910, is not to be construed as meaning that in cases where the grain movement is the principal business, or even constitutes more than 50 per cent of the whole earnings, section 4 is not to apply.

Application to have a permanent agent appointed at Coleville station, instead of a temporary one as at present, from September 15 to December 31 in each year.

The facts are fully set out in the judgment of Chief Commissioner Drayton, December 24, 1915. 20 Can. Ry. Cas., 70.

CITY OF VANCOUVER V. VANCOUVER, VICTORIA AND EASTERN RY. AND NAVIGATION CO.

The question of a location of a station, under sec. 258, is entirely a matter for the Board's discretion, which can be exercised irrespective of apparent conflict of agreements and ratifying acts.

City of Ottawa v. Canada Atlantic and Ottawa Electric Ry. Cos. (Bank Street Subway case), 33 S.C.R. 376, 5 Can. Ry. Cas., 126, referred to.

Application, under sec. 26A, directing the respondent to commence the construction of its freight and passenger terminal, as agreed between the parties.

The facts are fully set out in the judgment of Chief Commissioner Drayton, March 31, 1916. 20 Can. Ry. Cas., 72.

CITY OF LACHINE V. GRAND TRUNK RAILWAY COMPANY.

By an Order of the Board, the Grand Trunk Railway Company was ordered to construct an overhead bridge at the crossing of the Upper Lachine road by its railway at Rockfield, Que., the cost of construction and maintenance being divided amongst the various parties interested, including the city of Lachine.

After the bridge was constructed the city applied to the Board to compel the railway company to erect the necessary poles and wires and to light the bridge by electricity as a part of the work directed to be done under the Order.

Electric lighting of a highway bridge falls within the purview of the municipality, and the parties (other than the municipality) contributing to the cost of maintenance, should contribute only an amount representing the cost of the additional light required beyond that necessary for its highway, if the bridge had not been constructed..

Complaint regarding the lighting on Rockfield Bridge, Lachine, and application by respondent that bridge should be lighted and attended to by the applicant.

The question was discussed by correspondence and disposed of by the judgment of Mr. Commissioner McLean, November 18, 1915. 20 Can. Ry. Cas. 82.

CANADIAN NORTHERN RY. CO. V. GRAND TRUNK RY. CO.

(North Bay Case).

The general principle followed by the Board in dealing with applications for interchange of traffic is that the initial carrier is entitled to the long haul on its lines subject to the limitation that the resultant route is reasonable and practical, and involves no back haul or increased cost to the public. North Bay is a point at which the respondent should interchange traffic with the applicant.

Canadian Northern Ry. Co. v. Grand Trunk and Canadian Pacific Ry. Cos. (Muskoka Rates Case, Nos. 1 and 2), 7 Can. Ry. Cas., 289, 10 Can. Ry. Cas., 139, followed. Great Northern Ry. Co. v. Canadian Northern Ry. Co., 11 Can. Ry. Cas., 424, referred to.

Application under secs. 317 and 334 directing the respondent to interchange freight traffic with the applicant on an equality with the Canadian Pacific Ry. Co. at North Bay.

The facts are fully set out in the judgment of Chief Commissioner Drayton, March 9, 1916. 20 Can. Ry. Cas., 84.

APPEALS FROM DECISIONS OF THE BOARD.

For the year ending March 31st, 1916, there were three appeals made to the Governor in Council from the decisions of the Board. One of these appeals, that of the Canadian Northern Ontario Railway Company from the Board's Order of November 3, 1915, directing that the Company pay to the Township of Medora, Ontario, the sum of $5,000, has been dismissed. The other two appeals are still pending. With regard to appeals to the Supreme Court of Canada during the same period, there was one appeal, being an appeal of the Independent Telephone Company from the Board's General Order No. 149, setting out the terms on which Independent Telephone Companies should have connection of their systems with that of the Bell Telephone Company. This appeal is still pending.

A list of the appeals from the Board's decisions to the Supreme Court of Canada since its inception will be found under Appendix "K" to this report..

ORDERS, GENERAL ORDERS AND CIRCULARS.

The total number of Orders issued for the year ending March 31, 1916, was 1,426. The number of general circulars issued by the Board, directed to all railway companies subject to its jurisdiction, for the year was eight. The general orders as distinguished from other orders issued by the Board are those affecting all railway

companies subject to the Board's jurisdiction. It will be noted that the number of general orders issued by the Board for the year ending March 31, 1916, was 25, as compared with 17 for the previous year.

A list of the general orders and circulars for the year ending March 31, 1916, will be found compiled under Appendix "L" to this report.

JUDGMENTS OF THE BOARD.

The principal judgments of the Board delivered between the 1st of April, 1915, and the 31st of March, 1916, will be found under Appendix "C."

APPLICATIONS TO THE BOARD.

The total number of applications, including informal complaints made to the Board, for the year ending March 31, 1916, was 2,803. Under Appendix "J" will be found a table classifying the applications and complaints made to the Board under the various sections of the Railway Act. A detailed statement of these complaints, disposed of without a formal hearing, will be found under Appendix "A" to this report.

TRAFFIC DEPARTMENT OF THE BOARD.

In the Traffic Department of the Board the number of tariffs received and filed for the year ending March 31, 1916, were as follows:—

Freight tariffs including supplements	52,671
Passenger tariffs including supplements	15,041
Express tariffs including supplements	1,148
Telephone tariffs including supplements	2,861
Sleeping and parlour car tariffs including supplements	143
Telegraph tariffs and supplements	16

This makes a total of 71,880 for the year, as compared with a previous total for the year ending March 31, 1915, of 92,017. The total number of tariffs filed from February 1, 1904, to March 31, 1916, was 658,972.

The details in regard to the tariffs will be found in Appendix "D" to this report.

ENGINEERING DEPARTMENT OF THE BOARD.

In the Engineering Department of the Board a large number of inspections were made covering the whole Dominion. These inspections for the year ending March 31, 1916, number 376 and cover inspections for the opening of a railway for the carriage of traffic, pursuant to the requirements of Section 261 of the Railway Act, inspections of culverts, highway crossings, cattle guards, road crossings, bridges, subways and general inspections falling within the scope of the work of the Engineering Department of the Board.

For details of the various inspections made see Appendix "E."

OPERATING DEPARTMENT OF THE BOARD.

Under the work of this department is included the inspection of locomotive boilers and their appurtenances, the inspection of safety appliances on cars and locomotives, the investigations into accidents causing personal injury or loss of life, the reporting on the locations of stations, matters of protection at highway crossings, and train and station service performed by the railway companies.

Under Appendix "F" will be found a full and detailed report of the Chief Operating Officer of the department.

ACCIDENTS AND ACCIDENT INVESTIGATIONS.

It will be noted that the comparative statement of killed and injured shows a marked decrease in the number of accidents among the passengers carried, railway employees and trespassers, as compared with the previous year 1914-15; but that on the other hand there is a marked increase in the number of killed and injured from other causes, such as automobiles crossing railway tracks, which brings the total killed from all causes for the year 1915-16 up to 337, which is by a coincidence exactly the number killed for the year 1914-15. On the other hand the total number of injured shows a marked decrease from the year 1914-15, so that taking the total of casualties of every description there is still a marked decrease for the year.

Attention is again directed to the comparative statements of the Chief Operating Officer setting out in detail the situation as regards highway crossing accidents during the past five years, and it will be observed therefrom that there has been a total of 524 accidents covering 242 persons killed and 470 persons injured. There have been 129 accidents at protected crossings covering 59 persons killed and 95 persons injured; and at unprotected crossings there have been 195 accidents covering 183 killed and 322 injured.

In the year 1915-16 there were 6 persons killed and 4 persons injured in automobile accidents where a highway crosses the railway. The most serious accident was one in which 4 persons were killed and one seriously injured at a highway crossing protected by an automatic bell.

There are a good many instances where the public disregard is evidenced in respect of protective appliances by persons crawling under gates or walking around them, or endeavouring to cross the tracks in disregard of the alarm given by automatic signal bells.

In some cases accidents have occurred with fatal results on the highway crossings intersected by a double track line of railway where the crossing has been protected, through the party or parties being stopped by a train, say going east, and when that train had passed leaving the crossing clear, proceeding over the crossing only to be struck by a train travelling in the opposite direction. At such double track crossings, therefore, greater care should be exercised by all persons in approaching the crossings to ascertain that the track is clear in both directions.

The following is a table giving comparisons between the total number of passengers carried by the railway companies, the number of passengers killed and injured, and the same information as to employees, and as to trespassers, showing the number of trespassers killed and the relative percentage thereof to the total number of persons killed for the year. The figures giving the total number of passengers and employees carried are for the year ending June 30, 1915, the last figures available, and are taken from the railway statistics of the Dominion of Canada, published by the Department of Railways and Canals:—

Passengers—	
Number of passengers carried on railways	41,551,031
Number of passengers killed	17
Number of passengers injured	140
Employees—	
Number of employees with railways	124,142
Number of employees killed	120
Number of employees injured	788
Trespassers—	
Number of trespassers killed	143
42 per cent of trespassers killed to total of 337.	

It will be noted that of what may be termed preventable loss, 143 killed under the heading of trespassers is a very large percentage of the total killed, and as already stated in previous report, the Board has through the attorneys general of the various

provinces, taken up the question of prosecuting trespassers on railway property with a view to limiting the large number of fatalities which occur in this way; and, while the total number of trespassers killed for the year ending March 31, 1916, shows a very considerable reduction from that of the previous year, it is still a large percentage of the total number killed.

The following table shows the totals by provinces as regards trespassers killed and injured for the year ending March 31, 1916:—

Provinces.	Killed.	Injured.
Ontario	77	53
Quebec	34	23
Manitoba	5	3
Saskatchewan	9	10
Alberta	9	4
British Columbia	5	8
Nova Scotia	3	1
New Brunswick	1	—
Yukon	..	—

FIRE INSPECTION DEPARTMENT OF THE BOARD.

The Fire Inspection Department during the year has continued the plan of co-operation inaugurated in previous years with the Dominion and provincial fire protective organizations. Seventy-three officials of such organizations have been appointed officers of the Board's Fire Inspection Department, without any additional cost for salaries or expenses to the Board.

The Chief Fire Inspector continued the patrol plans adopted in previous years, requiring the establishment and maintenance of special fire patrols along 7,556 miles of railway line in forest sections. All railway companies were required to issue special instructions to their employees regarding fire protection, and as a result material progress has been made in the education of railway employees regarding the care and danger of fire.

The progress made in right of way clearing under Section 297 of the Railway Act has been reasonably satisfactory, though in some cases much-needed work has had to be deferred, due to financial conditions resulting from the war.

The fire guard requirements for 1915 were nearly identical with those prescribed for 1914, practically the only change being the establishment of a new classification, under the heading "Cultivated Hay Lands." The fire guard requirements apply to 13,443·76 track miles of railway lines in the three prairie provinces, equal to 26,887·52 fire guard miles. Reports indicate that 12,819·5 miles of fire guards were constructed or maintained, while 7,276·52 miles were exempt from construction; on 6,791·50 miles, fire guards were not established on account of miscellaneous reasons. During the year, 24 specific complaints in connection with fire guards were received and investigated.

Fire protective appliances on 850 locomotives were inspected by officers of the Fire Inspection Department during the year, these reports being referred to the Board's Operating Department.

During the past year, the Grand Trunk Pacific Railway inaugurated the exclusive use of oil as locomotive fuel on 718 miles of line between Jasper, Alberta, and Prince Rupert, B.C., bringing the total of oil-burning mileage in Canada to 1,444 miles. The use of oil as locomotive fuel is purely voluntary on the part of the railways in Canada.

Railway companies operating in forest sections were required to report all fires originating within 300 feet of the track. During the fire season of 1915, 686 such fires were reported. Of these 43·4 per cent are charged to railway agencies, 27·8 per cent to known causes other than railways, and 28·8 per cent to unknown causes. The total area burned over amounted to 37,263 acres, 33·1 per cent being charged

against railways, 20·9 per cent to known causes other than railways, and 46 per cent to unknown causes. Total damage done is estimated at $74,256, railways being charged with 11·2 per cent, known causes other than railways 24·2 per cent, and unknown causes 64·6 per cent. We thus have the railways under the Board's jurisdiction definitely charged with less than half of the total number of fires, these burning over less than one-third the total area burned, and doing only one-tenth of the total damage, or less than $8,400. In addition, some of the fires of unknown origin were no doubt caused by railway agencies. The figures quoted indicate, however, that the railways have been remarkably efficient in extinguishing their own fires, as well as those due to outside causes. In comparison with the total number of fires definitely attributed to locomotives in 1914, the figures for 1915 indicate a 27·1 per cent decrease. The weather conditions, taken in connection with the perfecting of railway fire protective organizations, materially reduced the number of fires, area burned over, and amount of damage done.

A full report, together with summary of fire reports, percentage tables by causes, and summary of fire guard construction and maintenance, will be found under Appendix "H."

ROUTINE WORK OF THE BOARD.

RECORD DEPARTMENT.

Since the publication of the last annual report there has been no change in connection with the clerical staff of this department other than the placing of the department under the charge of Mr. W. A. Jamieson, Chief Clerk.

Below is given a table setting forth the number of applications, filings and letters received during the year ending March 31, 1916, together with the number of orders issued.

Number of applications made	2,803
" filings received during the year	41,942
" outgoing letters during the year	31,691
" orders issued during the year	1,426

Under appendix "A" will be found the list of informal complaints made during the year.

SECRETARY'S DEPARTMENT.

Since the publication of the last annual report no changes have occurred in connection with the secretary's department other than the transfer of Mrs. L. Murphy to the office of the Deputy Chief Commissioner as stenographer.

HONOR ROLL.

The following members of the Board's staff have volunteered and are on Active Service in connection with the Canadian Overseas Expeditionary Force:—

E. E. Nelson, private, 11th Battalion.
W. Downes, corporal, 25th Battalion, 7th Brigade, C.F.A.
T. E. Dunsmore, private, 38th Battalion.
E. W. Wadsworth, sergeant, 207th Battalion.
R. Harvey, private, 207th Battalion.

The vacancies in the Board's staff created by the enlistment of members above referred to, have not been filled and the Board expresses the hope that they will come through the conflict unscathed and be able to resume their duties after the conclusion of the war in which they have voluntarily offered their services.

APPENDIX "A."

LIST OF COMPLAINTS FILED WITH THE BOARD OF RAILWAY COMMISSIONERS FOR THE YEAR ENDING MARCH 31, 1916.

5596. Station accommodation for passengers and freight at Griffin's Corners, Ont., on the Port Burwell branch of the Canadian Pacific Railway.

5597. Reduction of train service on the Young to Hoey branch of the Grand Trunk Pacific Railway in the province of Saskatchewan.

5598. Proposed Supplement No. 1 to the Canadian Pacific Railway Company's tariff W. 3166 and the cancellation of tariff W. 3166.

5599. Inability of complainant to obtain redress for a shipment of corn miscarried when sent from Wheatley, Ont., on the Pere Marquette Railroad.

5600. The Canadian Pacific Railway Company not providing a tile of sufficient size to carry off water on the west half of Lot 5, Concession 2, Township of Raleigh, Ont.

5601. The Grand Trunk Pacific Railway Company dismissing a station employee on account of his inability to pass an eye test.

5602. Refusal of the Canadian Northern Express Company to deliver a shipment of eggs until consignee signs a clear receipt releasing the company in case of breakage.

5603. Dangerous crossing on the line of the Canadian Pacific Railway Company at Mono Road, Ont., in the Township of Albion.

5604. Discrimination shown by railway companies in the matter of freight rates on oil stoves, heaters, etc., from Sarnia, Ont., to various Canadian points.

5605. Refusal of the Canadian Pacific Railway Company to abide by request of complainant and have all freight addressed to him at Haskett, Man., delivered to the one drayman for cartage to his home instead of to several teams thus causing an extra expense.

5606. Refusal of the Canadian Northern Railway Company to settle a claim for damage to property near Gainford, Alta., on account of gravel pits being dug and timbers removed for line construction.

5607. Proposed increase in minimum weight on brick in carload lots over lines in Western Canada.

5608. The Grand Trunk Pacific Railway Company losing a trunk shipped from Regina, Sask., to Chauvin, Alta.

5609. Alleged discrimination in the matter of freight rates on barrels and kegs in carload lots from Cargill, Ont., to Milton, Ont., as compared with the rates from Cargill to Toronto or Hamilton, Ont.

5610. Unsatisfactory cattle guards on the line of the Halifax and Southwestern Railway Company between Barrington and Clyde, N.S.

5611. Refusal of the Canadian Express Company to entertain a claim on account of a shipment of fruit from Grimsby, Ont., being delivered at Ottawa, Ont., one day late, and in consequence was refused by consignee.

5612. The Canadian Northern Railway Company constructing fireguards through private property at Alix, Alta.

5613. Proposed advance in freight rates on sole leather from Huntsville and Bracebridge, Ont., to Toronto, Ont., and Montreal, Que.

5614. The Canadian Pacific Railway Company's charges for the transportation of a pure-bred Clydesdale horse from Bradwardine, Man., to Expanse, Sask.

5615. Dangerous crossing one and a half miles north of Flesherton Station, Ont., on the line of the Canadian Pacific Railway Company.

5616. Freight rate on a shipment of horses from Leonard, Ont., to Kindersley, Sask., over the lines of the Canadian Pacific and Canadian Northern Railway Companies.

5617. Refusal of the Halifax and Southwestern Railway Company to entertain a claim for a refund of a freight overcharge on a shipment of crossarms from Halifax to Bridgewater, N.S.

5618. Unsatisfactory train service and lack of station agent at Cordova, Man., on the line of the Canadian Northern Railway Company.

5619. The Canadian Pacific Railway Company's freight charges on a shipment of settler's effects handled from Yellowgrass to Estevan, Sask.

5620. Lack of railway facilities in the vicinity of Diebolt, Sask.

5621. Refusal of the Canadian Northern Railway Company to entertain claim for horse killed near Hanna, Alta., on account of lack of cattleguards along their right of way.

5622. The Canadian Northern Railway Company's Jackfish branch not being fenced, thus causing losses through live stock being killed on the right of way near Edam, Sask.

5623. The Canadian Northern Railway Company constructing their Macrorie to Elrose Branch too close to buildings at Surbiton, Sask. causing damage to property through fire from engines.

5624. Treatment received by complaint in connection with claim for damages from the Canadian Northern Railway Company for account of their constructing the railway through private property at Estevan, Sask. cutting the property at an unsatisfactory angle.

5625. Refusal of the Canadian Pacific Railway Company to construct culverts desired in the Municipality of De Salaberry, Man.

5626. The Grand Trunk Pacific Railway Company not giving complainant any satisfaction in the matter of a trunk which they lost in transit from Waterous, Sask. to Prince George, B.C.

5627. Bridge toll charged by the Canadian Pacific Railway Company on shipments handled over the International bridge over the St. Mary's river, Ont.. as compared with rate charged companies on the Algoma Central railway.

5628. Refusal of the Bell Telephone Company to grant complainant rural telephone service near Bowmanville, Ont.

5629. The Grand Trunk Pacific Railway Company refusing to settle a claim for loss of crop through cattle coming from their unfenced right of way onto complainant's property on Lots 333 and 339 R. V. Coast District, joining the Townsite of Houston, B.C.

5630. Proposed increase in freight rates on wire netting and fencing.

5631. The Canadian Pacific Railway Company charging freight rate on a 40,000 pound car when the actual weight of a shipment of shingles and lath was 34,500 pounds en route from Vancouver, B.C., to Parkside, Sask.

5632. The Kettle Valley Railway Company constructing a fill for about 130 feet on private property at lot 78 on the Beach, Penticton, B.C.

5633. Freight rates charged on a car of settler's effects shipped from Willows, Sask. to Turtleford, Sask. over the Canadian Northern railway.

5634. Freight rates on bog ore or natural oxide from Three Rivers, Que. to Toronto. on the Canadian Pacific Railway.

5635. Proposed increase in freight rates on lard compound and cottolene between Montreal, Que., and Toronto, Ont.

5636. Difficulty at Winnipeg, Man., complainant had in connection with receiving written quotations on various rates for merchandise and then having to pay higher rates when the cars of goods arrive.

5637. Rate charge by the Bell Telephone Company for connection and access to the switchboard at Beaverton, Ont.

5638. The Dominion Express Company refusing to give complainant satisfaction in the matter of a claim for a duck lost in transit from Elma Centre, U.S.A., to Granville Ferry, N.S.

5639. Lack of proper fencing on the Kingston and Pembroke Railway at Lots 11 and 12, concession 11, Township of Lavant, Ont. and the damaged condition of a culvert at that point.

5640. Damage to property on account of poor drainage system on the right of way of the Glengarry and Stormont Railway Company at St. Telesphore, Comte of Soulanges, Que.

5641. Discrimination alleged to be shown against Ottawa, Ont., in the matter of freight rates on paints and oils.

5642. Damage to property near Fairfield Station, Ont. on account of improper drainage on the line of the Grand Trunk Railway Company.

5643. Lack of train service given by the Canadian Northern Railway Company to points on the Lakes, north of Parry Sound, Ont.

5644. Lack of station agent at Burns Lake Station, B.C., on the Grand Trunk Pacific Railway.

5645. Condition of approaches on the Canadian Pacific Railway Company's main line crossing between sections 33 and 34, Township 16, range 6, West of the Second Meridian, in the Rural Municipality of Elcapo, Sask.

5646. Freight rate on talc from Eldorado, Ont. to Windsor, Ont. as compared with rate from Eldorado, Ont., to Detroit, Mich., U.S.A.

5647. Freight rates increase on petroleum, crude and refined, and petroleum products.

5648. Freight rate quoted by the Canadian Pacific Railway Company from a quarry to Shawinigan Falls station, Que. a distance of one and one-half miles.

5649. Inability of complainant to get a settlement of amount due him for land taken by the Canadian Northern Railway Company for right of way purposes in the southwest quarter of Section 23, Township 28, Range 6, West of the Fourth Meridian.

5650. The Grand Trunk Railway Company refusing to construct an overhead bridge at one of the streets in Georgetown, Ont. and leaving a high embankment along their right of way without a fence or any means of protection.

5651. Freight rate charged by the Canadian Pacific Railway Company on a shipment of hogs from Calgary, Alta., to Moose Jaw, Sask.

5652. Refusal of the Meath Telephone Association to compensate complainant for telephone line constructed on side road between lots 15 and 16, Concession 1, west of Muskrat Lake, Township of Westmeath, Ont.

5653. Unsatisfactory crossing over the Canadian Northern Railway between lots 15 and 16, Township of Neebing, Ont.

5654. Freight rates charged on a shipment of household effects from Kingsville, Ont., to Bridgeburg, Ont., over the lines of the Windsor, Essex and Lake Shore Railway Company and the Grand Trunk Railway Company.

5655. Lack of proper drainage on the Canadian Pacific Railway near a fill at Junction station grounds, Tichborne, Ont.

5656. Agents on the Central Ontario Railway demanding prepayment of charges on all stock shipped to any point on the Grand Trunk Railway.

5657. Lack of fencing along the right of way of the Canadian Northern Railway Company in the northwest quarter of Section 21, Township 55, Range 7, West of the Third Meridian.

5658. The Canadian Pacific Railway Company's Supplement No. 1 to Special Commodity Tariff C.R.C. W. 2026 advancing the minimum weight on cordwood and slabs from 30,000 pounds to 35,000 pounds per car.

5659. Improper drainage and lack of culverts on the line of the Transcontinental Railway at Portneuf, Que.

5660. The Canadian Northern Railway Company not destroying gophers along their right of way in the Rural Municipality of Bengough, Sask.

5661. The Canadian Pacific Railway Company having four tracks across Two Mile Road at entrance to gravel pit, Birds Hill, Man.

5662. The Canadian Pacific Railway Company not having any road entrance to Birds Hill Station, Man.

5663. Cattleguards in the vicinity of Ernfold, Sask., on the line of the Canadian Pacific Railway not being effective in keeping cattle off the tracks.

5664. Lack of proper fencing and care of fencing along the Canadian Pacific Railway in the vicinity of mileage 70, west of Moose Jaw, Sask.

5665. The Grand Trunk Railway Company employing a man whose eyesight is defective and who is also deaf in charge of crossing gates at "La Pignaire," St. Lambert, Que.

5666. Insufficient depth of ditches along the right of way of the Canadian Northern Railway at Portneuf, P.Q.

5667. The Canadian Pacific Railway Company blocking a highway at Webb, Sask, with a snow fence for a period of two or three months.

5668. Alleged excessive rates charged by the Bell Telephone Company for residential service at Beauport, Que.

5669. Lack of fencing on Midland Railway near Elm Creek, Man.

5670. Reduction of train service on the Young to Hoey, Sask., branch of the Grand Trunk Pacific Railway.

5671. Advance in freight rates on talc from Madoc, Ont., to Montreal, Que., for export.

5672. The Grand Trunk Railway Company permitting the erection of two large oil tanks opposite property of complainant at Penetang, Ont.

5673. Proposed changes in timetables covering the operation of trains on the Michigan Central Railway which will seriously affect the mail service.

5674. The Montreal and Southern Counties Railway Company not giving car service to the ferry in the town of Longueuil, Que., as called for in contract with the town.

5675. Refusal of the Grand Trunk Railway Company to assume liability and settle claim for goods pilfered at Toronto, Ont.

5676. The Canadian Pacific Railway Company refusing to allow complainant to construct a drain which is part of a drainage scheme on their right of way at Glencoe, Ont.

5677. Alleged excessive freight rates on the Edmonton, Dunvegan and British Columbia Railway.

5678. The Canadian Pacific Railway Company not properly fencing its line of railway at Lot 5, Concession 2, Township of Hinchinbrooke, Ont.

5679. Freight rates on talc from Madoc, Ont., to Montreal, Que., for export.

5680. Freight classification of canned lobsters and canned blueberries.

5681. Difficulty complainant has with the Canadian Pacific Railway Company in connection with the interswitching of cars from the Canadian Northern Ontario Railway at Parry Sound, Ont., for delivery to the Canadian Pacific Railway at that point.

5682. Advance in freight rates on sugar in carloads from St. John, N.B., to St. Stephen, N.B., on the line of the Canadian Pacific Railway.

5683. Lack of a highway crossing required by complainant at St. Canut, Que., on the Canadian Northern Railway.

5684. The Canadian Pacific Railway Company refusing to compensate complainant for damage to property at Calgary, the railway company claiming that agreement of sale for the land covers all damage and depreciation.

5685. The Grand Trunk Pacific Railway blocking crossings at Ribstone, Alta.

5686. Cartage charges in Toronto, Ont.

5687. The Canadian Pacific Railway Company charging more for second-class passenger fares from St. Gabriel to Joliette, Que., than the two fares covering passage from St. Gabriel, Que., to St. Felix and St. Felix to Joliette, Que.

5688. The Canadian Pacific Railway refusing to pay for horse, injured on their right of way at Pickering, Ont., although damage resulted from faulty construction work on the line which caused complainant's fence to fall down.

5689. Dangerous conditions existing at crossings of the Comox Road by the Esquimalt and Nanaimo Railway, Vancouver Island, B.C.

5690. Refusal of the Canadian Northern Railway Company to settle claim for rope lost in transit from Listowel, Ont., to Maynooth, Ont.

5691. Interswitching charges on cars of grain screenings at Fort William, Ont., from the Grand TrunkPacific Railway Company's elevator to complainant's place on the Canadian Pacific Railway.

5692. Proposed removal of present station agent from St. Lazare station, Que., by the Canadian Pacific Railway Company.

5693. Condition of fences along the right of way of the Grand Trunk Railway in the vicinity of James Bay Junction, Ont.

5694. Condition of fences on the Grand Trunk Railway at Lot 141, Concession C, Township of Foley, Ont.

5695. Fences along the Grand Trunk Railway at Lot 139, Concession A, Township of Foley, Ont.

5696. The Canadian Pacific Railway Company forcing complainants to use box cars for the transportation of soft coal from Quebec City to Pont Rouge, Que.

5697. Shunting noises made on the Toronto, Hamilton and Buffalo Railway between Wentworth Avenue and Sandford Avenue, Hamilton, Ont.

5698. Construction rates charged on oils and greases from McRorie to Dunblane, Sask., on the line of the Canadian Northern Railway owing to the fact that there has been no tariffs issued covering this portion of the line as yet.

5699. Unsatisfactory train service on the Montreal-Mont Laurier line of the Canadian Pacific Railway.

5700. Unsatisfactory gates at farm crossing on the Southeast quarter of section 32, township 16, range 16, west of the second meridian, on the Brandon-Regina branch of the Canadian Northern Railway.

5701. Proposed closing of Perth Road Station, Ont., by the Canadian Northern Railway Company.

5702. Refusal of the Intercolonial Railway Company to make a refund of the ferry charge in connection with a shipment of lime from St. Marc des Carrieres to Ste. Malachie, Que.

5703. Alleged overcharge on luggage from Meacham, Sask. to Cobalt, Ont. by the Grand Trunk Pacific Railway Company.

5704. Canadian Pacific Railway Company's trains making connections at Ste. Therese, Que., not allowing sufficient time for passengers and baggage to be transferred.

5705. Proposed supplement No. 1 to C.N.R. Tariff W. 1560, which increases rate on forest products from the International Falls to Canadian destinations.

5706. Excessive express rates charged on cream shipments on the Dominion Express Company's lines as compared with rates charged by the Great Northern Express Company in British Columbia.

5707. Change in train service on the Waltham Branch of the Canadian Pacific Railway.

5708. Broken down condition of fencing and cattle guards on the Canadian Northern Railway near Sandy Lake, Man.

5709. Excessive rates charged for Bell Telephone service at Westboro, Ont., as compared with rates charged in Hull, Que.

5710. The Canadian Northern Railway Company tearing down freight shed at Starkville Station and proposed closing of station at that point.

5711. Form of bill of lading issued by the Adams Express Company, London, England, which does not show the rate or amount of charges on shipments.

5712. Fencing on the right of way of the Grand Trunk Railway Company in lots 69 and 70, concession 2, township of Flos, Ont.

5713. Railway Companies refusing milling-in-transit privileges to grain stopped off at Saskatoon, Sask. for the purposes of obtaining elevator weight at the Saskatoon Government Elevator and then reforwarded.

5714. Reduction in the number of sectionmen employed on the Regina-Northgate Branch of the Grand Trunk Pacific Railway between Riceton and Talmage, Sask.

5715. Farm crossing on the Canadian Northern Railway near Grenville, Que., which prohibit complainant from reaching the back portion of his farm to cultivate it.

5716. Dangerous conditions existing at Canadian Pacific Railway crossing highway in Britannia Village, Ont.

5717. Present rates charged for the carriage of oils and greases on the McRorie Branch of the Canadian Northern Railway.

5718. The Grand Trunk Pacific Railway Company forwarding a stove from Anola, Man. to Islay, Alta., by express when it should have gone by freight and insisting that complainant pay the difference in the charges.

5719. Refusal of the Canadian Northern Railway Company to fence its right of way through the northeast quarter of section 15, township 53, range 7, west of the third meridian, on its Shellbrook-Big River Branch.

5720. Lack of fencing on the Grand Trunk Pacific Railway near Hinton, Alta., and refusal of the railway company to pay for a horse killed on their right of way at that point.

5721. The Western Canada Power Company dismissing an employee from position as locomotive engineer and appointing an inexperienced man to replace him.

5722. Removal of station agent from lower East Pubnico, N.S., on the Halifax and South Western Railway.

5723. Refusal of the Kingston and Pembroke Railway Company to build fences along the right of way of their branch line from Godfrey to the Glendower Mines, Ont.

5724. Complaint against mail service between Edmonton and St. Albert, Alta., on the Canadian Northern Railway.

5725. The Michigan Central Railway Company running passenger trains in Canada without sufficient brakemen.

5726. Canadian Northern Quebec Railway Company dispensing with services of roadmaster because of his inability to pass the eye test.

5727. Refusal of the Canadian Pacific Railway Company to settle claim for shrinkage in weight on a shipment of hogs delayed in unloading at Calgary, Alta.

5728. Delay in transit to a shipment of live stock from Macleod to Calgary, Alta., via Canadian Pacific Railway.

5729. Freight rates charged by the Grand Trunk Railway Company on shipments of manure and the railway company supplying cars which will not hold the minimum weights called for.

5730. Proposed new Canadian Pacific Tariff which eliminates Nanaimo, B.C., as a terminal freight rate point.

5731. Delay of the Canadian Northern Railway Company in constructing stock yards in the Village of Ruddell, Sask.

5732. Alleged excessive freight charges on a shipment of construction material from Edmonton to Amisk, Alta., over the Canadian Pacific Railway.

5733. Proposed discontinuance of train from Paris to Toronto, Ont., or of starting the train from Brantford, Ont. instead of Paris as formerly on the line of the Grand Trunk Railway Company.

5734. Unsatisfactory freight service on the Laurentian Division of the Canadian Pacific Railway.

5735. Tariff published by the Canadian Northern Railway Company which raises the minimum carload weight on poles from 30,000 to 35,000 pounds.

5736. Demurrage charges assessed on a shipment of cordwood and pickets from Duck Lake, Sask. to Annerly, Sask. on the Canadian Northern Railway.

5737. Treatment received from the Bell Telephone Company in connection with telephone service to a summer cottage on the Island, Toronto, Ont.

5738. Inability of complainant to get a refund for unused portion of railway ticket from Three Hills to Calgary, Alta., from the Grand Trunk Pacific Railway Company.

5739. Unsatisfactory train service furnished by the Grand Trunk Pacific Railway Company at Wakaw, Sask.

5740. Refusal of the Grand Trunk Railway Company to keep a suitable roadway from the main road at Canfield, Ont., to the loading siding.

5741. Refusal of the Canadian Pacific Railway Company to remove the snow fences at Tribune, Sask.

5742. Unsatisfactory train service at Inwood, Ont., on the Michigan Central Railway.

5743. Condition of fences along the Canadian Northern Railway in the Municipality of Shellmouth, Man.

5744. Poor station accommodation provided by the Canadian Northern Railway Company at Hearne, Sask.

5745. Impassable condition of road through the Grand Trunk Railway Company's yard at Edgington, Ont.

5746. Damage to a shipment of apples on account of being frozen in transit from Colborne, Ont. to Saskatoon, Sask. via the Grand Trunk and Grand Trunk Pacific Railways.

5747. Unsatisfactory train service on the Michigan Central Railway at Brigdon, Ont.

5748. Railway Companies in Western Canada not giving sufficiently reduced rates on public holidays as compared with those enjoyed in Ontario.

5749. Refusal of the Quebec and Lake St. John Railway Company to grant a passage through its right of way fence in front of the complainant's property at St. Gedeon, Que.

5750. The Canadian Pacific Railway Company withdrawing marketing privileges from holders of commutation tickets from Mile End to suburban points.

5751. Damage to property at Gushing, Que. on account of lack of proper drainage on the right of way of the Canadian Northern Ontario Railway.

5752. Delay of the Canadian Northern Railway Company in making a settlement for land taken for right of way purposes in the NE. ¼ of Section 31, Township 29, Range 20 West of the Fourth Meridian, near Munson, Alta.

5753. Refusal of the agent of the Intercolonial Railway Company to make refund for unused portions of railway tickets covering passage between St. Hyacinthe to Montreal, Que.

5754. Freight charges on one car of settler's effects and one palace horsecar from Vancouver, B.C. to Lloydminster, Alta., via Canadian Pacific and Canadian Northern Railways.

5755. Refusal of the Grand Trunk Railway Company to settle claims for fruit damaged in transit when the company did not supply refrigerator cars as requested.

5756. The Canadian Northern Railway Company not keeping its right of way fences in a state of repair at Munson, Alta.

5757. The Canadian Northern Railway Company refusing to give complainant at Munson, Alta. a proper farm crossing with gates.

5758. Pere Marquette Railway Company's tariff No. 12 *re* charges on all coal ex the ferry and switched to complainant's siding at Port Stanley, Ont.

5759. "Completion of loading" and "diversion" charges made by the Canadian Pacific Railway Company on shipments of hogs or on livestock shipments billed through Calgary, Alta.

5760. Canadian Pacific Railway Company asking a rate of twenty cents on steel rails, in carloads, from Trenton, N.S. to Sherbrooke, Que.

5761. The Grand Trunk Pacific Railway Company refusing to make settlement for goods lost in transit and short on arrival at McBride, B.C.

5762. The Grand Trunk Railway Company refusing to give satisfaction to complainant in the matter of honey lost in transit en route St. Mary's, Ont., to Harrowby, Man.

5763. Refusal of the Canadian Pacific Railway Company to pay claim for damage to stock in transit from Alfred, Ont., to Point St. Charles, Que.

5764. The Lake Erie and Northern Railway Company refusing to compensate complainant at Galt, Ont., for damage to his property on account of the construction of right of way through his premises.

5765. Railway companies charging for cartage from the warehouse to the freight shed at shipping points in addition to cartage charges at destination.

5766. Telephone line in the vicinity of Mountain, Ont., not being completed.

5767. Freight charges on a shipment of settler's effects from Port Alberni, B.C., to Kitscoty, Alta., over the Canadian Northern and Canadian Pacific Railways.

5768. Treatment received from the Grand Trunk Pacific Railway Company in connection with compensation for injuries received at Hazelton, B.C.

5769. Canadian Northern Railway Company increasing the freight rates on newsprint paper and woodboard for export via Montreal and Quebec.

5770. Refusal of railway companies to pay claims for shortage on grain shipments to the Lake fronts from Saskatoon, Sask.

5771. Unsatisfactory train service between Montreal and Pointe Claire, Que., on the lines of the Canadian Pacific and Grand Trunk Railways.

5772. Condition of bridge and approaches on public road between sections 9 and 10-6-23 W. 1 M. in the municipality of Cameron, Man., on the Canadian Northern Railway.

5773. Alleged discrimination shown in favour of Toronto, Ont., in the matter of express charges from that city as compared with those charged from London, Ont.

5774. Lack of fencing on the right of way of the Irondale, Bancroft and Ottawa Railway.

5775. Inability of complainant to secure payment from the Canadian Northern Railway Company for land expropriated for right of way purposes in the north half of section 16-30-19 W. 4 M. near Munson, Alta.

5776. Present train service schedule of the Calgary and Edmonton Railway between Calgary and Macleod, Alta.

5777. Proposed increase in freight rates on Ricmac road preparation.

5778. The Canadian Pacific Railway Campany selling townsites without giving the public transportation service.

5779. Treatment received from the Dominion Express Company in connection with shipment of fowl from Clarinda, Iowa, U.S.A., to Iddesleigh, Alta.

5780. Switching rates charged by the Toronto, Hamilton and Buffalo Railway Company in its Hamilton terminals under tariff C.R.C. 858 as amended by supplement No. 4 effective May 5, 1913.

5781. Unnecessary noise in the operation of trains between St. Henri Square, Montreal, and the Grand Trunk Railway Company's yard west of St. Henri, Que.

5782. Refusal of the Canadian Northern Railway Company to settle claim for cow killed on account of lack of proper cattle guards near Mecheche, Alta.

5783. Condition of railway crossings in the Township of Bristol, Que., on the line of the Canadian Northern Railway.

5784. Dominion Express Company's rates on cream shipped into Grand Forks, B.C., from surrounding points.

5785. Poor satisfaction received by complainant in the matter of a claim, for a shipment of refrigerating machinery consigned to Fort Qu'Appelle, Sask., from Winnipeg, Man., which should have been shipped direct via Canadian Pacific Railway and Grand Trunk Pacific Railway but was held and placed in storage at Regina, Sask., by the Canadian Pacific Railway Company.

5786. Refusal of the Canadian Pacific Railway Company to settle claim for baggage lost in transit to Dollard, Sask.

5787. Proposed removal of station agent from Grenville, Que., by the Canadian Pacific Railway Company.

5788. Changes in the Canadian Pacific Railway Company's passenger service at Port Arthur, Ont.

5789. Dangerous condition of public crossing on the Canadian Northern Railway between Sections 28 and 29-30-18 W. 4 M. near Mecheche, Alta.

5790. Delay to a shipment of stock handled by the Canadian Northern Railway Company from Le Pas, Man., to Birch Hills, Sask.

5791. Inability of complainant to obtain settlement from the Canadian Northern Railway Company for land taken for right of way purposes in the west half of Section 10-12-25 W. 4 M. near Claresholm, Alta.

5792. The Canadian Northern Railway Company failing to pay for land taken for right of way purposes in Section 3, Township 12, Range 25 W. 4 M.

5793. Lack of proper drainage on the Michigan Central Railway at Lot 287, South Talbot Road, Township of Maidstone, Ont.

5794. Grand Trunk Railway Company's rates on brick from Hamilton, Ont., to Galt, Ont., as compared with the rates on the Canadian Pacific over the same route.

5795. Freight rates on shipments of lumber and shingles moving from Eburne, B.C., to points in Canada and the United States as compared with rates on the same commodities moving from Vancouver, B.C.

5796. Proposed closing of North Lancaster station, Ont., by the Canadian Pacific Railway Company.

5797. The Dominion Express Company not providing proper facilities for receiving money and issuing money orders at Hazelridge, Man.

5798. The Canadian Northern Quebec Railway Company collecting freight charges right through to destination on shipments originating with that company but consigned to points on another line of railway.

5799. The Canadian Northern Railway Company not paying for land taken for right of way purposes in the southwest quarter of Section 35, Township 5, Range 28 West of the Fourth Meridian; and against weeds left to grow on their right of way at that point.

5800. The Canadian Pacific Railway Company increasing switching rate on brick from Mikkelson to Estevan yard, Sask.

5801. Lack of drainage facilities on the Canadian Pacific Railway at Lot 11028 G.I. in Galena, B.C.

5802. Additional freight charges of seven cents per hundred on oils and greases from McRorie to Dumblane, Sask., on account of this portion of Canadian Northern Railway not being placed under regular tariffs although it has been in operation for more than a year.

5803. Inability of complainants to obtain a refund for unused portions of railway tickets.

5804. Refusal of the Canadian Pacific Railway Company to make a refund for unused tickets unless they are produced. Tickets in this case were lost in the mails.

5805. Freight rates on cheese from Glen Brook and Williamstown to Montreal, P.Q., as compared with rates from Apple Hill, Ont., to Montreal, P.Q.

5806. Unsatisfactory train service on the Canadian Pacific Railway from Eastman to Windsor, Que.

5807. The Canadian Northern Railway Company unloading cars along Pembina street, Winnipeg, and at cut-off through River Park, thereby making a number of highway crossings dangerous for children and others visiting pleasure resorts in the vicinity.

5808. Failure of the Canadian Northern Railway Company to pay for right of way taken in the northwest quarter Section 5, Township 35, Range 6 West of the Fourth Meridian, on their Lacombe-Moosejaw Branch.

5809. Alleged unsafe condition of roadbed on the Rocky Mountain House Branch of the Canadian Northern Railway between Lochearn and Hordegg, Alta.

5810. Refusal of the Atlantic, Quebec and Western Railway Company to pay claim for cattle killed on their right of way where their fencing is in poor condition and the gate continually open, near Maria, Que.

5811. Freight rate on a shipment of potatoes from Grand Forks, B.C., to Baynes Lake, B.C., on the Great Northern Railway, as compared with rates on similar shipments over the Canadian Pacific Railway.

5812. Danger to trainmen and inconvenience caused to the public by way of the Michigan Central Railway Company hauling trains of excessive length.

5813. Switching and dockage charges on the Grand Trunk Railway at Windsor, Ont.

5814. Lack of station agent at Springwater, Sask., on the Biggar-Calgary branch of the Grand Trunk Pacific Railway.

5815. Point St. Charles stockyards at Montreal, Que., refusing to accept shipment of twenty-one Canadian Northern Railway cars loaded on Canadian Pacific Railway Company's tracks at Toronto, Ont., stock destined export to British Government, the Grand Trunk Railway Company also declining to handle stock from Harbour Commissioners' tracks to stockyards.

5816. The Canadian Northern Railway Company closing a culvert that has served complainant for a number of years as a cattle pass in the northwest quarter of section 34, Township 31, Range 2, West of the Third Meridian, near Aberdeen, Sask.

5817. Refusal of the Canadian Pacific Railway Company to compensate complainant for alleged damage to property caused by the construction of a culvert on the Georgian Bay and Seaboard Railway at public highway between Lots 10 and 11 Concession 8, Township of Eldon, Ont.

5818. Unsatisfactory condition of fences along right of way of the Canadian Northern Railway Company, Montfort line, between Sarrizin siding and Deer Lake, Que.

5819. Refusal of the Canadian Northern Railway Company to pay for horse killed on railway where there is no fencing or cattle guards in Section 13, Township 18, Range 21, West of the First Meridian.

5820. Goods stolen while in transit on the Atlantic, Quebec and Western Railway.

5821. Fencing on the Canadian Northern Railway at Minintonas, Man., not being of such construction that sheep cannot enter upon their right of way.

5822. Removal of station agent from Gainford Station, Alta., on the Grand Trunk Paeific Railway.

5823. Railway Companies issuing instructions to agents that notations of shortages or damage in transit to shipments are not to be carried forward and shown on consignee's expense bill the consignees being left to discover, if they can, as to whether their goods have suffered damage or loss in transit.

5824. Freight rates on a shipment of potatoes from Vernon, B.C., to Fruitvale, B.C. over the Canadian Pacific and Great Northern Railways.

5825. Freight rates on green hides from Brandon to the Minnesota Transfer as compared with rate from Winnipeg to the same point (a greater distance) over the lines of the Canadian Northern, Great Northern and Canadian Pacific Railways.

5826. Delay in transit on shipment of live hogs on the Canadian Pacific Railway Company's Goderich line to Peterborough, Ont.

5827. Ineffective class of cattleguards in use on the Canadian Northern Railway.

5828. Refusal of the Canadian Northern Railway Company to settle claim for damage to crops by way of cattle getting on complainant's land where the right of way is not fenced at Sections 6 and 12, Township 49, Range 20, West of the Third Meridian.

5829. Alleged excessive rates asked by the Canadian Pacific Railway Company for special train service for twelfth of July celebration at Cabri, Sask.

5830. Unsatisfactory accommodation furnished by the Canadian Northern Railway Company from Orillia to Deer Lake, Ont.

5831. Excessive charges on a telegram from Port Carling, Muskoka, at Orangeville, Ont., via Great Northwestern Telegraph Company and Canadian Pacific Railway Telegraph Company.

5832. Type of cattleguards used by the Canadian Northern Railway Company near MacNutt, Sask.

5833. Canadian Northern Railway Company not making any provision for the fencing of its right of way through Section 32, Township 25, Range 1, West of the 2nd Meridian.

5834. Unsatisfactory treatment received at the hands of the Canadian Northern Railway Company in connection with claim for refund of excess freight charged on shipments from Cardiff to Edmonton, Alta.

5835. Proposed location of the Canadian Pacific Railway Company's stock yards at Tichborne Jct., Ont.

5836. Refusal of the Chatham, Wallaceburg and Lake Erie Railway Company to settle claim for stock killed on its right of way where there is no fencing at Dover, Ont.

5837. Alleged excessive freight rates charged on a car of household effects from Trail, B.C., to Melfort, Sask., over the lines of the Canadian Northern and Canadian Pacific Railways.

5838. Dangerous conditions existing at crossing of the Grand Trunk Railway at Adelaide street, London, Ont.

5839. Present freight classification given to acetate of lead in Canadian Freight Classification No. 16.

5840. Condition of the approach to the loading platform at Readlyn, Sask. on the Canadian Pacific Railway.

5841. The Canadian Northern Railway Company not making provision to forward people wishing to take part in the twelfth of July celebration at Laura, Sask. from Flexcombe, Sask.

5842. Condition of approach or lack of proper roadway approaching the Grand Trunk Pacific Railway station at Heath, Alta.

5843. The Kootenay Central Railway Company (C.P.R.Co.) constructing a stock corral in the centre of Blair street, Athalmer, B.C., thereby stopping traffic on that street as well as cutting off approach to complainant's property on Fifth avenue, Athalmer, B.C.

5844. Noise and damage to house on Brant avenue, Brantford, Ont., caused by vibration of the city's electric cars over defectively laid switches in front of complainant's residence.

5845. Condition of the Grand Trunk Railway Company's station at London, Ont.

5846. Refusal of a farmer residing near Bannerman, Man.; to allow the Great Northern Railway Company to plough fireguards on his property.

5847. Refusal of the Grand Trunk Railway Company to make refund on a shipment of medicine for which they overcharged $1.60 for handling from Montreal to Vancouver, B.C.

5848. Two horses killed by the Grand Trunk Railway Company's train near Fraserburg, Ont., owing to there being no cattleguards at road crossings to prevent stock from entering upon the right of way.

5849. Unsafe manner in which electric cars of the Sandwick, Windsor and Amherstburg Electric Railway are operated during race on Oulette avenue, Windsor, Ont.

5850. Dangerous crossing on the London and Port Stanley Railway at William street, Port Stanley, Ont.

5851. Railway companies charging storage on shipments of scrap rubber accepted and billed from various points between Kingston and Quebec, Que., to points in the United States but held by the railways on embargo order of the Customs Department.

5852. The Canadian Pacific Railway Company allowing cars to stand in front of a summer residence at St. Rose, Que., thus obstructing view of complainant and constituting a source of annoyance.

5853. Condition of Grand Trunk Railway Company's fences at Orrville, Ont.

5854. Dominion Atlantic Railway Company refusing to grant the carload rate on shipments of potatoes for export when they exceed one or more carloads but not enough to fill another car.

5855. Lack of fencing along the right of way of the Canadian Northern Railway Company at complainant's farm in Section 25, Township 27, Range 20, near Sifton, Man.

5856. Unsatisfactory train service on the Grand Trunk Railway between Stouffville, Sutton and Jackson's Point, Ont.

5857. The Grand Trunk Pacific Railway Company blocking a culvert and flooding well of complainant in the Northwest Quarter Section 23, Township 53, Range 8, West of the 5th Meridian.

5858. Condition of the Grand Trunk Railway Company's fences at Goldstone, Ont.

5859. Unnecessary noises made by locomotives on the Grand Trunk Pacific Railway between the Red River Railway bridge and the Union Depot, at Winnipeg, Man.

5860. Ineffective cattleguards in use on the Canadian Northern Railway in the vicinity of Lloydminster, Sask.

5861. Settler in the Northwest quarter of Section 17, Township 43, Range 2 West of the Fourth Meridian, refusing to allow the Grand Trunk Pacific Railway Company to plough fireguards on his property.

5862. Refusal of the Halifax and North Western Railway Company to recognize a claim for steer killed on their right of way owing to poor condition of fencing in the vicinity of Arygyle Head, N.S.

5863. Alleged exhorbitant switching charges of the Pere Marquette Railway Company for switching services at Sarnia, Ont., on cars of gravel to be used for road making.

5864. Unsatisfactory service provided by the Canadian Pacific Railway Company at Vermillion, Ont.

5865. Delay in the handling of settlers' effects from Ruffalo, N.Y., to Newboro, Ont., over the lines of the Grand Trunk and Canadian Northern Railways.

5866. Unsatisfactory train and mail service on the Nicola Subdivision of the Canadian Pacific Railway in the Province of British Columbia.

5867. The Lake Erie and Northern Railway Company constructing across complainant's property at Port Dover, Ont., cutting off access to water and not providing cattle pass for the accommodation of the stock.

5868. Second class fare charged by the Canadian Pacific Railway Company from Moosejaw, Sask., to Toronto, Ont., and Canadian Northern Railway Company from Toronto, Ont., to Deseronto, Ont.

5869. The Great North Western Telegraph Company discriminating against complainant in the matter of ticker service in his brokerage business in Toronto, Ont.

5870. Damage caused by fire from the Edmonton, Dunvegan and British Columbia Railway at Eunice, Alta.

5871. Crossing fences, cattleguards and sign post on the Edmonton, Dunvegan and British Columbia Railway crossing north of Busby Station, Alta.

5872. Unsatisfactory service furnished by the railway operating between Fort Erie and Fort Erie Beach in conjunction with the ferry service between Fort Erie and Buffalo, N.Y.

5873. Operator of the Canadian Pacific Railway threatening to cause trouble on that railway.

5874. The Canadian Pacific Railway Company or the Grand Trunk Railway Company will not accept cars of live stock from the Canadian Northern Railway Company at Montreal, Que., for the purpose of having them unloaded in their stock yards and as the Canadian Northern Railway Company have no stock yards at that point the stock have to be unloaded right on the street without proper stock yard facilities.

5875. Unsatisfactory condition of the Canadian Pacific Railway crossing on its Reston-Welseley Branch between Sections 4 and 9, Township 11, Range 3 West of the 1st Meridian.

5876. Condition of Canadian Pacific Railway crossing on its Reston-Wolseley Branch, between Sections 34 and 35; Township 10, Range 33 West of the 1st Meridian, Rural Municipality of Walpole, Sask.

5877. Crossing on the Canadian Pacific Railway Company's Reston-Wolseley Branch between Sections 31 and 32, Township 10, Range 32, West of the 1st Meridian, Rural Municipality of Walpole, Sask.

5878. Condition of crossing on the Canadian Pacific Railway Company's Reston-Wolseley Branch between Sections 35 and 36; Township 10, Range 32 West of the 1st Meridian, Rural Municipality of Walpole, Sask.

5879. Transportation companies that are unwilling or unable to quote through rates from points in Canada or the United States to points in South Vancouver on the Eburne-Westminster line.

5880. Refusal of the Campbellford, Lake Ontario and Western Railway Company to furnish complainant with a farm crossing on his farm near Napanee, Ont.

5881. Freight rates on coal shipments over the Kettle Valley Railway and the Canadian Pacific Railway from Princeton to Vancouver, B.C., and from Merritt to Vancouver, B.C.

5882. Present freight classification on Grafanola cabinets, etc.

5883. Steps or stools not being provided for the purpose of boarding and alighting from trains at Virden, Man.

5884. Water of Stinking Lake blocking up roads near Delburne, Alta., owing to culvert of the Grand Trunk Pacific Railway Company not being of proper size and construction to let the water away.

5885. Failure of the Atlantic and Lake Superior Railway Company (Quebec Oriental Railway Company) to construct an overhead bridge on the Fifth Range of the Township of New Richmond, P.Q., which was burned.

5886. Refusal of the Atlantic, Quebec and Western Railway Company to accept fish in bulk for transportation.

5887. Power wires over the Canadian Northern Railway belonging to Grand Mere, Que., not having the standard clearance as called for by the regulations of the Board.

5888. Lack of proper culverts and condition of grading at highway crossings on the line of the Glengarry and Stormont Railway near Williamstown, Ont.

5889. Lack of proper passenger and freight accommodation on the Grand Trunk Railway at Terra Cotta, Ont.

5890. Alleged excessive freight rate charged by the Canadian Pacific Railway Company on a shipment of personal effects shipped from New Westminster, B.C., to Walkerton, Ont.

5891. Supplement 13 to C.P.R. tariff C.R.C. W. 2031 which quotes charges in conjunction with part carloads from Arnes, Gimli, Jellico and Riverton on fresh or frozen fish to Selkirk to complete loading for reshipment via the Canadian Pacific Railway.

5892. Lack of proper roadway from the town of Angusville, Man., to the station and freight sheds of the Canadian Northern Railway Company.

5893. Refusal of the Grand Trunk Pacific Railway Company to settle claim for horses killed by the train near Edgerton, Alta. on account of lack of cattleguards near mile post 650.

5894. Refusal of the Canadian Northern Railway Company to construct highway crossing between Sections 8 and 9, Township 18, Range 22, West of the 1st Meridian, in the Municipality of Strathclair, Man.

5895. Delay of the Canadian Northern Railway Company in furnishing complainant with deed of land that was exchanged for a piece of roadway in the Southwest quarter of Section 12, Township 18, Range 22, West of 1st Meridian.

5896. Proposed location of a stock corral belonging to the Canadian Pacific Railway Company at Athalmer, B.C.

5897. Refusal of the Canadian Pacific Railway Company to refund money entrusted to them for the passage of two persons from Austria to Yorkton, Sask., although the company failed to carry out their part of the agreement.

5898. The Canadian Pacific Railway Company charging local rates on a shipment of hogs from Magrath to Winnipeg, and from Winnipeg to Toronto, Ont., although the shipment was billed through from Magrath to Toronto, Ont., and was only held in Winnipeg, Man., awaiting a man to take charge of the shipment.

5899. The Dominion Atlantic Railway Company not giving complainant a proper crossing over their tracks at Deep Brook, N.S.

5900. Extra switching charge at Vancouver, B.C., on shipments of forest products consigned to local points on American railroads in the United States.

5901. Inconvenience caused to residents of Rougemont, Que., on account of it being impossible to ship any freight from that point prepaid, as the Agent is not authorized to accept payment for any freight coming or going on the lines of the Montreal and Southern Counties Railway and the Central Vermont Railway.

5902. Refusal of the White Pass and Yukon Railway Company to make a refund of half fare of man in charge of a horse shipped from Skagway to Whitehorse, Y.T.

5903. The Michigan Central Railway Company Tariff, G.F.D. No. 9652, not including tomatoes in baskets in item concerning fresh fruits in baskets, boxes or crates.

5904. Condition of ditches along the Canadian Northern Railway at St. Liguori, Que.

5905. The Canadian Pacific Railway Company trying to collect additional charges on live stock shipped from Frelighsburg, Que. to Bawlf, Alta., in the year 1914 over the lines of the Central Vermont and Canadian Pacific Railways.

5906. Lack of navigation lights on the railway bridges over the Red River at Winnipeg, Man.

5907. The Canadian Pacific Railway Company forcing complainants to ship over its line by delaying the placing of Northern Pacific cars where ordered at Haney, B.C.

5908. Delay to shipments of express at Toronto, Ont., owing to refusal of the Dominion Express Company to accept shipments which are destined to points on the Grand Trunk Pacific Railway.

5909. Refusal of the Canadian Northern Railway Company to entertain claim for refund on unused ticket from Rosetown to Saskatoon, Sask.

5910. Lack of shelter and accommodation for freight and passengers at Dewar Lake, Sask., on the Grand Trunk Pacific Railway.

5911. Refusal of the Canadian Pacific Railway Company to settle claim for freight overcharge on shipments of machinery from points in Massachusetts, U.S., to Espanola, Ont.

5912. Proposed removal of highway crossing in Section 12-62-27, W. 4th M., on the line of the Edmonton, Dunvegan and British Columbia Railway.

5913. The Canadian Northern Railway Company insisting on cars not being loaded over 60,000 pounds, yet charging for a minimum of 60,000 pounds.

5914. Excessive storage charges on a trunk and some grips at Bracebridge, Ont., on the Grand Trunk Railway.

5915. The Grand Trunk Pacific Railway Company removing station agent from station at Quinton, Sask.

5916. Condition of fences along the right of way of the Canadian Pacific Railway at Grondines, Que.

5917. Lack of proper culvert on the Moosejaw Branch of the Canadian Northern Railway in the Rural Municipality of Elmsthorpe, Sask.

5918. The Canadian Northern Railway Company not granting complainant a cattle pass on their Calgary Southerly Branch near Alderayde, Alta.

5919. The Bell Telephone Company charging for messages transmitted over Rural Lines at Fenelon Falls, Ont.

5920. Refusal of the Bessemer and Barrys Bay Railway Company to fence its right of way from a point one mile south of L'Amble Station on the Central Ontario Railway to Childs Mine, Ont.

5921. Condition of cattleguards on the Canadian Northern Railway in the vicinity of Bolina, Ont.

5922. Refusal of the Bell Telephone Company to furnish telephone service to complainant at St. Mary's, Ont., until the war is over.

5923. Alleged excessive express charges on a shipment of butter handled by the Dominion Express Company from Blucher to Sutherland, Sask.

5924. Canadian Express Company's rate on shipments from Carp, Ont., to Toronto, Ont.

5925. Delay of the Canadian Northern Railway Company in paying for right of way secured in the northeast quarter of Section 9, Township 31, Range 17 West of the Fourth Meridian.

5926. Delay of the Western Dominion Railway Company in settling for right of way expropriated in the southwest quarter of Section 34, Township 5, Range 28, West of Fourth Meridian.

5927. Alleged refusal of the Canadian Pacific Railway Company to build and operate a spur from Pincher Station, B.C., to Pincher Creek, a distance of three miles.

5928. Poor fireguards on the Grand Trunk Pacific Railway.

5929. Unsatisfactory fireguards in use on the Canadian Pacific Railway.

5930. Refusal of the Grand Trunk Railway Company to grant a farm crossing at Jarlsburg, Ont.

5931. Condition of the Grand Trunk Railway Company's culvert at complainant's property near Jarlsburg, Ont.

5932. Refusal of the Bell Telephone Company to give a subscriber at Ottawa, Ont., any service until he paid an account for the moving of telephone instrument to where it is at present installed.

5933. Alleged dangerous condition in which the Grand Trunk Pacific Railway Company have left gravel pit known as the "Souris pit" located on the edge of Souris River Valley on the Regina boundary branch.

5934. Alleged dangerous conditions existing at crossing just west of Oakville Station, Ont., on the Grand Trunk Railway.

5935. Unsatisfactory condition of roadway leading up to the Pere Marquette Railway Company's station at Harrow, Ont.

5936. Alleged excessive express charge on a parcel shipped from New York, N.Y., to London, Ont.

5937. The Esquimalt and Nanaimo Railway Company depriving complainant of an approach to property and removing planking from crossing at Coombs Station, B.C.

5938. Refusal of the Canadian Northern Railway Company to settle claim for cattle killed on their right of way where no fencing has been installed near Bedford Station, Man.

5939. Action of a party at Vera, Sask., in fencing around the north of the Grand Trunk Pacific Railway Company's townsite at that point cutting off all passable roads into the elevator and loading platform.

5940. Refusal of the Canadian Pacific Railway Company to settle claim for cattle killed on their right of way although the fencing was in broken down condition near Field, B.C.

5941. The Canadian Northern Railway Company not constructing a crossing over their right of way at mile 4 on its Big River Branch.

5942. Grand Trunk Railway Company's freight trains frequently blocking the crossing at Killaloe, Ont.

5943. Lack of telephone and telegraph communication and station agent at Jenner, Alta., on the Canadian Pacific Railway and against mail service to and from that point.

5944. Condition of farm crossing on the Southeast quarter of Section 31, Township 29, Range 20 West of the Fourth Meridian on the Calgary to Vegreville Branch of the Canadian Northern Railway.

5945. Refusal of the British Columbia Electric Railway Company to settle claim for horse killed on their right of way near Sidney, B.C.

5946. Refusal of the Grand Trunk Pacific Railway Company to settle claim for hair lost in transit from Edmonton, Alta., to Peabody, Mass., U.S.A.

5947. The Bell Telephone Company severing its connection with the St. Luc Telephone Company.

5948. Unsatisfactory condition of crossings on the Canadian Pacific Railway spur line leading from Haleys Station, Ont., to the works of the Renfrew White Granite Company, Limited.

5949. Quebec Central Railway Company's embargo on pulpwood consigned to Mechanicsville, N.Y.

5950. Overcrowding of passenger cars on trains of the Canadian Pacific Railway Company between Winnipeg, Man., to Moosejaw, Sask.

5951. Station and freight shed facilities at Eganville, Ont., on the Grand Trunk Railway.

5952. Refusal of the Canadian Pacific Railway Company to unload any freight at Grindrod Station, B.C.

5953. Unsatisfactory freight and passenger train service on the Wilkie-Cutknife Branch of the Canadian Pacific Railway.

5954. Delay in transit to an express shipment of dressed chickens from Swanson to Saskatoon, Sask., handled by the Canadian Northern Express Company.

5955. Improper drainage under the tracks of the Canadian Pacific Railway within the Village of Sharbot Lake, Ont.

5956. Shipments of coal being transferred while enroute from Buffalo, U.S.A. to Haileybury, Ont., and against cars not being properly weighed.

5957. The Canadian Northern Railway Company to fill up the ditch between the main line track and a side track in the Village of Hague, Sask.

5958. Condition of Canadian Northern Railway Company's crossing at mileage 91 on their Gypsumville Branch and lack of cattleguards at that point.

5959. Alleged excessive charges on shipments of onions from Leamington to Toronto, Ont., on the Grand Trunk Railway.

5960. Inability of complainant residing at Smithville, Ont., to get Bell Telephone service.

5961. Poor fireguards on the Canadian Pacific Railway Company's Moosejaw and Lacomb Branches.

5962. The Grand Trunk Pacific Railway Company making an extra charge on a prepaid shipment of furniture from Parry Sound, Ont., to Ardrosseau, Alta., claiming that the shipping agent had made an error when quoting the rate.

5963. Unsatisfactory car supply for the shipment of lumber from Shallow Lake, Ont., on the Grand Trunk Railway.

5964. Inconvenience and excessive rates to telephone subscribers at Wakefield, Que., on account of each rural company having its own exchange and subscribers having no exchange with the Bell Telephone Company or other lines without a charge being made for the message.

5965. Damage to complainant's property at Richmond, Ont., on account of unsatisfactory drainage on the lands of the Canadian Northern Railway Company.

5966. Refusal of the Canadian Pacific Railroad Company to settle claim for damages when an automobile was stuck at crossing of a highway one mile east of Sintaluta, Sask.

5967. Excessive freight rates on brick from Grand Piles to Yamachiche, P.Q., over the Canadian Pacific Railway.

5968. Circular issued by Superintendent of Terminals at Fort William, Ont., relative to claims for grain losses.

5969. Inability of complainant to get satisfaction from the Grand Trunk Railway Company in connection with a claim for damages to a shipment of Swedish iron from Gothenburg, Sweden.

5970. Refusal of the Department of Marine and Fisheries to provide certain gas cylinders to Bureau of Explosives investigating the matter of an explosion which took place in the Grand Trunk Railway Company's freight house at West Toronto, Ont.

5971. Treatment received by complainant at Huntsville, Ont., from strangers representing themselves to be officials of the Board in the matter of trespassing on the Grand Trunk Railway Company's bridge over the Muskoka River.

5972. Condition of the Grand Trunk Railway Company's station at Valois, Pointe Claire, P.Q.

5973. Alleged useless cattleguards used by the Grand Trunk Railway Company in the vicinity of Huntsville, Ont.

5974. The Canadian Northern Railway Company using freight engines for switching at Portage la Prairie, Man., without footboards.

5975. Unsatisfactory express service furnished by the Canadian Northern Express Company out of Winnipeg, Man.

5976. Proposed Canadian Northern Railway Company's spur along the lane in Blocks 108, 102, 85 and 82, and the lane in block 35, Estevan, Sask., crossing Second, Third, Fourth, Fifth and Sixth Avenues.

5977. Icing charges assessed by the Adams Express Company on a shipment of cheese ex New York, N.Y. to Toronto, Ont.

5978. Refusal of the Canadian Pacific Railway Company to allow farmers to use a type of portable elevator at stations where regular elevators are located.

5979. Station master on the Quebec, Montreal and Southern Railway doing a grain and feed business in conjunction with his railroad duties, thereby entering into unfair competition with merchants doing the same business in the vicinity.

5980. Delay in transit to shipments of oil between Davidson and Bladworth, Sask., on the Canadian Northern Railway.

5981. Freight rate on timber that is used for mine props to Edmonton, Alta.

5982. The Canadian Pacific Railway Company running a work train out of White River, Ont., without a conductor in charge.

5983. The Canadian Northern Railway Company not giving the usual reduction on shipments of seed grain.

5984. Proposed action of the Canadian Pacific Railway Company of appropriating a part of road allowance on the north side of the northeast quarter of Section 32-29-9 W. 3 M., Rural Municipality of Fertile Valley, Sask.

5985. Delay in delivery of express shipments of fruit from Toronto Union Station to the consignees at Toronto, Ont.

5986. Quebec Oriental Railway Company refusing to pay for loss of cattle caused by defective fencing in the vicinity of Grand Cascapedia, Que.

5987. Refusal of the Canadian Pacific Railway Company to settle claim covering overcharge of freight on shipments of machinery from Ansonia, Conn., to Espanola, Ont.

5988. Demurrage charges assessed by the Canadian Pacific Railway Company on a car of oats shipped, prepaid, from Glen Ewen to East End, Sask.

5989. Rough handling and pilfering of fruit handled by express companies in the vicinity of St. Catharines, Ont.

5990. Dangerous conditions existing at overhead crossing of the Canadian Pacific Railway about one mile west of Arnprior, Ont.

5991. Noise nuisance from train operations on the Michigan Central Railway at Waterford, Ont.

5992. The Canadian Northern Express Company charging farmers of Saskatchewan the same rate for five gallon cans of cream as they charge for an eight gallon can although the five gallon cans weigh slightly more than the stipulated weight of 50 pounds.

5993. Train service on the line of the Central Vermont Railway at Iberville, Que.

5994. Dangerous crossing on the west side of Welsford Station, N.B., on the line of the Canadian Pacific Railway.

5995. Dangerous conditions existing at crossing at Nerepis, N.B., on the line of the Canadian Pacific Railway.

5996. Delay in transit to a car of wheat caused by alleged carelessness on the part of employees of the Michigan Central Railway Company in shipping car via Suspension Bridge, N.Y., which was contrary to the route desired by shipper.

5997. The Canadian Pacific Railway Company placing gates and construction fences at Second Street Crossing, at Golden, B.C.

5998. The Canadian Northern Railway Company for giving extra duties about coaches at Hervey Junction, Que., which interfere with his work as towerman for the Canadian Northern and National Transcontinental Railways at that point.

5999. The Canadian Pacific Railway Company refusing to allow telephone wires of the Dominion Government Telephone System to be constructed across its right of way at Golden, B.C.

6000. The Canadian Pacific Railway Company refusing to allot the Columbia River Lumber Company to carry its telephone wires across their tracks at Second Street, Golden, B.C.

6001. Refusal of the Sprague Telephone System near Consecon, Ont., to provide complainant with telephone service.

6002. Delay to shipments of live stock from points on the Pontiac and Gatineau lines of the Canadian Pacific Railway to Montreal, Que.

6003. Terms demanded by the Bell Telephone Company for connection and switching charges at Coldwater, Ont.

6004. Car shortage for the handling of grain shipments from Kindersley, Sask., on the Canadian Northern Railway.

6005. The Halifax and Southwestern Railway Company refusing passenger stopover privileges when going from Barrington Passage to Shelburne, N.S.

6006. Train service on the Canadian Northern Railway between Sudbury, Ont. and Thor Lake, Ont.

6007. Alleged excessive overcharge on excess baggage composed of fishing tackle handled by the Grand Trunk and Canadian Government Railways from Toronto, Ont., to Prince Edward Island.

6008. Change in train and mail service at Fork River, Man., on the line of the Canadian Northern Railway, Winnipegosis Branch.

6009. Delays to cars going from Meaford, Ont., through to the United States due to the fact that Consular invoices are required by the American Consul at Hamilton, Ont.

6010. Refusal of the Bell Telephone Company to furnish complainant with telephone service at Fraserville, Ont.

6011. Refusal of the Bell Telephone Company to continue telephone service of complainant at his new residence which is only 1,500 feet from the former premises at Montreal, Que.

6012. Prepaid express and freight parcels being held at Irondale Station, Ont., for periods of twenty-four hours and longer awaiting the arrival of shipping bills, complainant having particular reference to a bag of wheat seed shipped from Richmond Hill, Ont., via the Canadian Northern Railway.

6013. The White Pass and Yukon Railway Company forcing complainant to pay full fare of $20 for passage between White Horse and Skagway although there was an excursion train running between these two points for $5 return trip.

6014. Interswitching service of the Canadian Northern Railway Company at Saskatoon, Sask., between the Canadian Northern and Canadian Pacific Railway Companies, the employees of the Canadian Northern Railway Company not giving any notice with reference to cars left on the transfer.

6015. The Canadian Northern Railway Company refusing to give stock tenders transportation back to the point of shipment on the Rossburn Extension from Winnipeg, Man., over the same route that they travelled with the stock, but insist on another route which although shorter, makes more expense to the shipper on account of poor connections.

6016. Canadian Pacific Railway holding up and demanding freight and storage charges at Estevan on a shipment of cured ham from Torquay, Sask., to North Newbury, Ont.

6017. The Canadian Northern Railway Company not having any guard rails or protection on the sides of the loading platform at Rosetown, Sask., which allowed a frightened horse to be run over by a train and had to be shot.

6018. The Grand Trunk Pacific Railway Company not fencing its right of way in the district of Hinton, Alberta.

6019. The Canadian Pacific Railway Company and the Pere Marquette Railway Company, charging unreasonable, discriminatory and illegal tolls on shipments of wheat from and to Canadian points, milled in transit at Chatham, Ontario.

6020. The Great Northern Railway Company not absorbing one-half of the switching charges on non-competitive business, having particular reference to shipments of wood from White Rock, B.C.

6021. Canadian Pacific Railway Company's trestles at Portneuf, Que., have become choked with dirt.

6022. Grand Trunk Railway Company not having sufficient clearance between the ground and its telegraph wires to allow use of farm crossings in the Township of North Fredericksburg, Ont.

6023. Rate on lumber from Powassan, Ont., to Leominster, Mass., as compared to the rate to Boston, Mass.

6024. Great Northern Railway Company and Dominion Express Company's rates on cream in tins to the creamery at Nelson, B.C.

6025. Canadian Pacific Railway Company's proposed change in service of steamers on the Arrow Lakes between Arrowhead and Robson, from daily to tri-weekly service.

6026. Canadian Northern Railway Company blocking the natural watercourse on Lots 22, 23 and 24, Concession 10, Township of Loughboro, and on Lots 1 and 2, Concession 13, Township of Storrington, Ont.

6027. Canadian Pacific Railway Company car No. 204668, loaded with lumber, shipped from Vancouver, B.C. to Hughton, Sask., lost in transit.

6028. Canadian Northern Railway Company's cattle pass on lot 3, Concession 7, of the Township of Westmeath, Ont., being of insufficient size.

6029. Canadian Pacific Railway Company's refusal to furnish cars for the shipment of manure.

6030. Canadian Northern Railway Company's circular prohibiting the loading of any Canadian Northern Railway car with more than 1,000 bushels of grain.

6031. Canadian Northern Railway Company's car shortage for the handling of grain shipments at Truax, Sask.

6032. Canadian Pacific Railway Company's charge for signal light at switch which leads to C.P.R. gravel pit at point three miles west of Agassiz, B.C.

6033. Canadian Pacific Railway Company's wooden bridge over the Noir River blocking the ice every spring.

6034. Canadian Pacific Railway Company agent's refusal to grant a rebate on unused portions of ticket from Bow Island, Alta., to St. Catharines, Ont.

6035. Treatment received from the Canadian Pacific Railway Company in connection with cedar fence posts short in transit from Olson, B.C., to Shaunavon, Sask.

6036. Canadian Pacific Railway Company's refusal to absorb any part of the switching charges on a car of steam coal to the G.T.R. line at Ottawa, Ont.

6037. Canadian Northern Quebec Railway Company's delay in making settlement of freight charges on shipment of medicine from Montreal, Que., to Kindersley, Sask., on which the railway company collected transportation charges at both ends.

6038. Canadian Pacific Railway Company refusing to give a refund on railway tickets, Vancouver to Seattle, which were lost previous to making the trip.

6039. Canadian Pacific Railway Company employees allowing a boy to play around yards and on tracks, resulting in injury.

6040. Time as adopted by railway companies throughout Canada not being the true standard time.

6041. Canadian Pacific Railway Company's fireguards.

6042. Grand Trunk Railway Company's refusal to pay claim for freight overcharge on a shipment of bran to St. John's, Newfoundland.

6043. Grand Trunk Railway Company, "International Limited," drawing out of Brockville to the second, when it was clear to the train crew that a delay of sixty seconds would have accommodated many western passengers rushing across the platform from the C.P.R. train.

6044. Grand Trunk Pacific Railway Company charging demurrage pending settlement of freight charges on launch shipped from Point Edward, Ont., to Edmonton, Alta.

6045. Delay of Canadian Northern Railway Company in fencing its right of way and construction gang cutting down fences in North Edmonton, Alta.

6046. Canadian Pacific Railway Company charging freight on a shipment of olive oil on a 30,000 pound minimum when rate was coated on carload lots, 24,000 pounds minimum.

6047. Stock being killed and injured on account of lack of fencing on the line of the G.T.P. Railway, in the district of Telkwa, Bulkley Valley, B.C.

6048. Failure of Canadian Northern Railway Company to register new survey of lots, in the vicinity of Englefeld, Sask.

6049. Refusal of the Grand Trunk Pacific Railway Company to compensate for cattle killed on the Calgary and Edmonton Branch of the G.T.P. Ry. in Section 33, 36-23, W. 4 M.

6050. Operation of Canadian Pacific Company's trains between Souris and Schwitzer, Man.

6051. The Bell Telephone Company charging religious institutions a business rate for telephone service to private residences.

6052. Canadian Pacific Railway Company closing the station at Ashdod, Ont., on the line of the Kingston and Pembroke Railway.

6053. The New York Central Railroad Company having no fences along its right of way at Valleyfield, Que., to keep cattle off the railway tracks.

6054. Dangerous crossings on the Grand Trunk Railway in Coaticook and in the Township of Compton, Que., and the crossing on the new Government Road from Sherbrooke to Stanstead, viz: about two miles south of Lennoxville, Que., where the Grand Trunk Railway crosses the highway.

6055. Car shortage at Elrose, Sask., on the line of the Canadian Northern Railway Company.

6056. Canadian Pacific Railway Company rates on zinc ore from the Lucky Jim Zinc Mines.

6057. Increase in freight rate on crushed stone from Washago, Ont., on the Canadian Northern Railway, to all points on Toronto and York Radial Railway.

6058. Freight rate charged by the Grand Trunk Railway Company on canned goods from Port Robinson, Ont., to Hamilton, Ont.

6059. Excessive charges on two cars of grain shipped from Nanton, Alta., viz: Caandian Pacific Railway and which were stopped off at Moosejaw, Sask., with overload, the complainants claiming that these cars should have been scaled at Macleod with the result of a much lower rate.

6060. Damage to cellar caused by water backing up from the C.P.R. right of way, in the Township of Winchester, Ont.

6061. The Bell Telephone Company charging religious institutions on the business rate basis for service at residence.

6062. Refusal of express companies to entertain claims for damage to glass rectifier tubes filled with mercury.

6063. Fencing on the line of the Canadian Northern Railway Company, mile 53-66, west of Edmonton, Alta.

6064. Train crews of the Canadian Pacific Railway Company blocking the railway crossing immediately west of Indian Head Station, Sask.

6065. Freight charges on car of settlers effects from Maltoon, Ill., to Huxley, Alta.

6066. Loss to nursery stock caused by improper drainage along the right of way of the Grand Trunk Railway Company at Clarksons, Ont.

6067. Proposed removal of station in the Town of Huberdeau, Que.

6068. Grand Trunk Railway Company's culvert on lot 31, Concession 6, Township of McGillivray, Ont., not having proper location to drain the adjacent lands.

6069. Car shortage at Englefeld, Sask., on the line of the Canadian Northern Railway Company.

6070. Car shortage at Rockhaven on the Wilkie-Cutknife Branch of the Canadian Pacific Railway Company.

6071. Damage to cellar on account of high embankment along the right of way of the Canadian Pacific Railway, Smiths Falls Subdivision, in the Township of Winchester, Ont.

6072. Canadian Northern Railway Company assessing local rate from Oak Point to Toronto, plus icing and demurrage charges and also a rate from Toronto to Montreal, on car shipped from Oak Point to Toronto, Ont., but reconsigned at Montreal, Que.

6073. Montreal Tramways Company charging three dollars per hour demurrage on cars of cement.

6074. Grand Trunk Railway Company removing side tracks across Clifton Street, Thorold, Ont.

6075. Canadian Pacific Railway Company giving instructions to have all mile boards removed from approach to railway crossings.

6076. Classification of freight rates on "Cream Ripeners" or "Batch Pasteurizers."

6077. Inability to load and ship G.T.P.R. cars to points on C.N.R. and C.P.R.

6078. Canadian Northern Railway Company not supplying cars for coal shipments.

6079. Car shortage for grain shipments at Swanson, Sask., on the line of the Canadian Northern Railway.

6080. Car shortage for grain shipments at Ruddell, Sask., on the line of the Canadian Northern Railway.

6081. Napierville Junction Railway Company's proposed withdrawal of passenger train from its service.

6082. Canadian Northern Railway Company not supplying sufficient cars for the shipping of grain at Marcelin, Sask.

6083. Grand Trunk Pacific Railway Company's rates on coal and against excessive switching charges on coal for delivery from C.N.R. sidings on private spurs in Edmunton on Canadian Northern Railway.

6084. Kingston and Pembroke Railway Company (C.P.R.) closing station at Ashdod, Ontario.

6085. Canadian Pacific Railway Company's proposed discontinuance of branch line leading northwest from Coronation during the winter months.

6086. Car shortage at Muenster, Sask., on the line of the Canadian Northern Railway Company and discrimination in favour of the towns of Lanigan and Humboldt in the matter of car supply.

6087. Canadian Pacific Railway Company's rates on crushed stone from St. Canut to Montreal, Que.

6088. Canadian Northern Railway Company's rates on paving blocks from St. Canut to Montreal, Que.

6089. Canadian Pacific Railway Company's proposed siding for milk shippers at Chesterville, Ont.

6090. Dominion Express Company's charges on a shipment from Lakeside, Ont., to Toronto, Ont.

6091. Canadian Pacific Railway Company's fireguards.

6092. Canadian Pacific Railway Company charging a freight rate of 1½ cents per bushel on wheat and one cent per bushel on oats on its branch line leading northwest from Coronation, Alta.

6093. Canadian Northern Railway Company tearing down telephone wires and poles in the Townships of Nepean, March, Torbolton and Fitzroy, Ontario.

6094. Canadian Pacific Railway Company's rate on shipments of ammunition boxes to Nobel, Ont.

6095. Car shortage at Delisle, Sask., on the line of the Canadian Northern Railway.

6096. Express companies refusing to accept goods shipped in corrugated cardboard boxes.

6097. Edmonton, Dunvegan and British Columbia Railway Company's rates on seeds and seed boxes.

6098. Freight charges on a shipment of sheep from Thessalon, Ontario, to Elgin, Manitoba.

6099. Weeds spreading from the Grand Trunk Railway Company's right of way into lands of complainant at Freeman, Ont.

6100. Boston and Maine Railroad Company's level crossing just south of the Village of Lennoxville, Que., being dangerous.

6101. Lack of fencing on the right of way of the Canadian Pacific Railway Company in the district of Lardo, B.C.

6102. Interpretation given by the Dominion Express Company to paragraph "H," Section 5 of the contract of carriage.

6103. Treatment received at the hands of the Grand Trunk Railway Company and the Canadian Northern Railway Company in connection with a threshing separator lost in transit while en route from Seaforth to Hybla, Ont.

6104. Treatment received at the hands of the Grand Trunk Pacific Railway Company in connection with a shipment of outgoing freight at Lucerne Station, B.C.

6105. Bell Telephone Company refusing to give a third extension set for telephone service in the complainant's place of business in the City of Montreal, Que.

6106. Grand Trunk Railway Company's snow fences in Lots 13 and 14, Concessions 2 and 3, Township of Tiny, having the effect of blockading the public highways.

6107. Grand Trunk Railway Company's wooden bridge one mile west of Dumbarton, being unsafe.

6108. Canadian Pacific Railway Company's proposed discontinuance of train and boat service, Lardo Trout Lake Branch.

6109. Canadian Pacific Railway Company's rate on clothing from Vancouver, B.C., to Woodstock, Ont.

6110. Car shortage in the district along the Goose Lake Line of the Canadian Northern Railway Company.

6111. Drainage on the right of way of the Atlantic and Lake Superior Railway Company at New Richmond Station, Que.

6112. Toronto, Niagara and St. Catharines Railway Company not giving rebate on unused portions of weekly book of tickets.

6113. Car shortage at Cereal, Alta., on the line of the Canadian Northern Railway Company.

6114. Canadian Pacific Railway Company's freight charges in the Province of British Columbia.

6115. Canadian Pacific Railway Company charging cartage at Vancouver, B.C., for handling a shipment for furtherance to ports of call on the Pacific Ocean.

6116. Canadian Northern Railway Company having raised the freight rates on lumber between Coe Hill, Ont., Gilmour, Ont., etc., to Trenton, Ont.

6117. Canadian Pacific Railway Company's refusal to consider claim for damage to a suit case in transit from Los Angeles to Winnipeg, Manitoba.

6118. Three cars of live stock ex Kitscoty and ex Armena, being held up on the transfer from the Canadian Northern Railway to the Canadian Pacific Railway Stockyards, Calgary, Alta.

6119. Canadian Pacific Railway Company's passenger service time table not allowing for the stopping of train No. 104 at Enniskillen Station, N.B.

6120. Quebec Oriental Railway Company's rates on cars of flour from Montreal to Gaspe, Que.

6121. Michigan Central Railway Company's switching charge of 20 cents per ton on stone shipped to Sandwich, Ont., and other points.

6122. Canadian Pacific Railway Company's refusal to consider claim for car linings supplied by the complainants for shipments of potatoes ex Perth, N.B.

6123. Canadian Northern Railway Company's proposed increase of rates on lumber and wood products.

6124. Canadian Pacific Railway Company's changes in train and mail service in the Township of Potton, Que.

6125. Canadian Pacific Railway Company, Grand Trunk Railway Company and Michigan Central Railway Company's freight rates on petroleum and its products from Petrolia and Sarnia, Ont., to Sault Ste. Marie, Ont.

6126. Lack of overhead protection to fruit and vegetables shipped from Leamington, Ont., by the Dominion Express Company, over the Pere Marquette Railway.

6127. Service offered by the Canadian Express Company in the matter of outgoing trains for the shipping of fruit at Leamington, Ont.

6128. Canadian Northern Railway Company's fireguards on extension from Elrose, Sask.

6129. Canadian Pacific Railway Company's refusal to settle claim for steer killed on Section 16-7-29, between Sinclair and Antler, Sask.

6130. Kettle Valley Railway Company's delay in paying for property purchased for right of way purposes in the vicinity of Princeton, B.C.

6131. Trouble in securing cars from the Quebec Central Railway Company at Thetford, Que.

6132. Treatment received at the hands of the Great Northern Railway Company in connection with claim for freight overcharge on car of coal Princeton, B.C., to Vancouver, B.C.

6133. Shortage of empty cars for shipping of coal on the lines of the Canadian Northern Railway, the Canadian Pacific Railway and the Grand Trunk Pacific Railway and refusal of the Canadian Pacific Railway Company and the Grand Trunk Pacific Railway Company to furnish cars for shipments destined to points on the Canadian Northern Railway.

6134. Complainants having to sign in advance for all cars received from the Grand Trunk Railway Company, McGill Siding, and from the Canadian Pacific Railway Company, Place Viger Station, thus relieving the Railway companies from damages.

6135. Grand Trunk Railway Company charging yearly rental for telephone lines crossing their tracks.

6136. Car shortage at Rush Lake, Sask., on the line of the Canadian Pacific Railway Company.

6137. Car shortage at Waldeck, Sask., on the line of the Canadian Pacific Railway Company.

6138. Michigan Central Railroad Company demanding prepaid freight charges on shipments originating on the tracks of the Essex Terminal Railway Company.

6139. Ontario Hydro Commission and the Chatham Gas Company's poles being directly in front of the complainants' office.

6140. Grand Trunk Railway Company refusing to entertain claim for interest on a refund of freight charges collected in error at both point of shipment and destination.

6141. Cars of merchandise being unduly delayed because of poor facilities for unloading at Oyen, Alberta, on the line of the Canadian Northern Railway Company.

6142. Canadian Pacific Railway Company refusing to accept any liability for wheat shortage on car loaded at Tompkins Station, Sask.

6143. Fire caused by the Canadian Northern Railway at Moss Bank, Sask.

6144. Car shortage at Winnifred, Alta., on the line of the Canadian Pacific Railway Company.

6145. Car shortage at Richard, Sask., on the line of the North Battleford-Prince Albert line of the Canadian Northern Railway Company.

6146. Car shortage at Macleod, Alta., on the line of the Canadian Pacific Railway Company.

6147. Discrimination in the matter of distribution of cars between the elevator and the platform at Tribune, Sask., on the line of the Canadian Pacific Railway Company.

6148. Canadian Northern Railway Company closing cattle culvert in the N.E. $\frac{1}{4}$ of Section 27-52-15, W. 4 M., Vegreville, Alta.

6149. Refusal of the Grand Trunk Railway Company to settle claim for porcelain bath damaged in transit from Trenton, N.J., to Montreal, Que.

6150. Canadian Northern Railway Company refusing to give a farm crossing on the complainant's property, the S.E. $\frac{1}{4}$ of Section 15-3-11, E.P.M., Spurgrave, Man.

6151. Fire caused by the Canadian Northern Railway, August 11, 1914, in the vicinity of Bratton, Sask.

6152. Canadian Northern Railway Company refusing to erect fences on its right of way through the complainant's property, the S.E. $\frac{1}{4}$ of Section 15-3-11, E.P.M., Spurgrave, Man.

6153. Canadian Car Service Bureau offering only a 50 per cent settlement of claim against the Canadian Pacific Railway Company, for money which was improperly assessed and collected for car service.

6154. Canadian Northern Railway Company removing planking from between the rails at private crossing which leads to the public road in the N.E. $\frac{1}{4}$ of Section 2-38-27, W.P.M. on the Company's Swan River to Prince Albert line.

6155. Car shortage at Loreburn, Sask., on the line of the Canadian Pacific Railway Company.

6156. Car shortage at Strongfield, Sask., on the line of the Canadian Pacific Railway Company.

6157. Car shortage at Blackie, Alberta, on the line of the Canadian Pacific Railway Company.

6158. Car shortage at Claresholm, Alberta, on the line of the Canadian Pacific Railway Company.

6159. Loss and inconvenience on account of delay in transit to car of corn shipped from Detroit, Mich., via Windsor, Ont., to West Shefford, Que., on the Michigan Central Railway and the Canadian Pacific Railway.

6160. Poor accommodation furnished for passengers on train between Allandale and Midland, via Penetanguishene Branch of the Grand Trunk Railway.

6161. Express Companies refusing to accept goods shipped in corrugated boxes.

6162. Bell Telephone Company's rates for connections at Eganville, Ont.

6163. Car shortage on the Bengough-Radville Branch of the Canadian Northern Railway Company.

6164. Telephone Company building a portion of branch line on road which the Council of the Municipality had given the complainants authority to use for its line.

6165. Cars of manure left standing for a while and then unloaded close to railway stations, by different railway companies.

6166. Refusal of International Harvester Company of Canada, Ltd., to settle an account for demurrage.

6167. Esquimalt and Nanaimo Railway Company refusing to settle claim for mare killed on their right of way.

6168. Car shortage at South Fort, Sask., on the line of the Canadian Pacific Railway Company.

6169. Canadian Pacific Railway Company's failure to equip certain locomotives, running out of Ottawa, Ont., with ash pans that can be dumped or emptied without employees going under for that purpose.

6170. Canadian Northern Railway Company's right of way east and west of Onoway, Alta., not being fenced and that for ballasting purposes the cattle guards and crossings have been torn out.

6171. Car shortage at Birdview, Sask., on the Saskatoon-Elrose Branch of the Canadian Northern Railway Company.

6172. Car shortage at Bratton, Sask., on the Saskatoon-Elrose Branch of the Canadian Northern Railway Company.

6173. Car shortage at Carmangay, Alta., on the Lethbridge-Calgary Branch of the C.P.R.

6174. Grand Trunk Railway Company's failure to settle claim for overcharge in freight rates on a car of pulpwood shipped from Point Levis, Que., to York Haven, Pa., U.S.A.

6175. Damage to property caused by the repairs to the Grand Trunk Railway Company's overhead bridge which runs through the complainant's property.

6176. Grand Trunk Pacific Railway Company's failure to settle for car of wheat which was lost on account of wreck on their line.

6177. Lack of proper accommodations and shelter at Cainsville Station on the line of the Grand Trunk Railway Company.

6178. Brantford and Hamilton Radial Railway Company's fare from Cainsville to Alberton, Ont.

6179. Brantford and Hamilton Radial Railway advertising half fares to the Fall Fair at Ancaster, Ont., and yet charging regular single fare each way to passengers who have to get on at stations where there are no agents.

6180. Passengers boarding the Brantford and Hamilton Radial Railway cars at stations where there are no agents being unable to buy return tickets on the car.

6181. Canadian Pacific Railway Company reducing the number of sectionmen on its line in the district of Nominingue, Que.

6182. Delay in transit to shipment of hay from Trout Lake via Gerrard, to Nelson, B.C.

6183. Canadian Pacific Railway Company locking doors of Walton Station, Ont., at six p.m.

6184. Car shortage at Rokeby Station, Sask., on the line of the Canadian Pacific Railway.

6185. Car shortage at Copeland Station (Raymore) Sask., on the Winnipeg-Saskatoon Line of the Grand Trunk Pacific Railway Company.

6186. Train service between Port Burwell and Ingersoll, Ont., on the Tillsonburg, Lake Erie and Pacific Railway.

6187. Station being closed at 5.45 P.M. and agent removed at Straffordville Station, Ont., on the line of the Tilsonburg, Lake Erie and Pacific Railway Company.

6188. Damage to property on account of Canadian Pacific Railway Company building a culvert at Sugas, N.B.

6189. Refusal of the Norfolk and Tillsonburg Telephone Company to give complainant telephone service to his residence at Delhi, Ont.

6190. Car shortage at Fiske, Sask., on the line of the Canadian Northern Railway.

6191. Car shortage at Otthon, Sask., on the line of the Grand Trunk Pacific Railway Company.

6192. Car shortage at Alsask, Sask., on the line of the Canadian Northern Railway Company.

6193. Car shortage at Sovereign, Sask., on the line of the Canadian Pacific Railway Company.

6194. Rate charged on a car of celery shipped from Red Creek, N.Y., to Montreal, Que.

6195. Rate charged on shipment of apples from Brockport, N.Y., to Montreal, Que.

6196. Bell Telephone Company charging a fee of $2 per key in addition to regular contract price for a certain number of phones with two lines.

6197. Car shortage at High Prairie, Alta., on the line of the Edmonton, Dunvegan and British Columbia Railway Company.

6198. Canadian Pacific Railway Company's station at Blyth, Ont., being closed at 6 p.m.

6199. Canadian Pacific Railway Company's train service between North Bay and Ottawa, Ont.

6200. Rate charged on ore shipped from Princeton to Greenwood, B.C., via the Kettle Valley Railway.

6201. Supplement No. 2 of C.P.R. Tariff No. E-1776, advancing the class rates from all points on the Sault and Kingston subdivisions of the Canadian Pacific Railway Company to Albany, Troy, New York, Philadelphia, Baltimore, Washington, D.C., and Norfolk, Va.

6202. Bell Telephone Company having raised the rate for telephone service to the Post Office Inspector at Kingston, Ont.

6203. Car shortage at Rosetown, Sask., on the lines of the Canadian Pacific Railway Company and the Canadian Northern Railway Company.

6204. Car shortage at Harris, Sask., on the line of the Canadian Northern Railway Company.

6205. Car shortage at Pelly, Sask., on the line of the Canadian Northern Railway Company.

6206. Classification of Calf Meal.

6207. Shunting and running of Canadian Pacific Railway Company's trains in the vicinity of Queen St., Lindsay, Ont.

6208. British Columbia Electric Railway Company having published notice that service on Fraser Valley and Southern Railway (Burnaby Lake line) would be reduced from hourly to two hourly service on December 15, 1915.

6209. Rate charged by the Canadian Pacific Railway Company on shipment of steel wire from St. Henri, Que., to Vancouver, B.C.

6210. Bridge on the Portage Road over the right of way of the Niagara, St. Catharines and Toronto Railway Company being in a dangerous condition.

6211. Niagara, St. Catharines and Toronto Railway Company not recognizing the original road allowance east of the Township Line in the Township of Stamford, Ont., as a regular stop or as a crossing.

6212. Matter of Intermediate switching at Coburg.

6213. Manner of fastening of electric power wires at points where same cross railway tracks.

6214. Grand Trunk Railway Company's Tariff C.R.C. E-3287 and Canadian Pacific Railway Company's Tariff C.R.C. E-3068 milling in transit tariffs ex lake ports, making advances in charges for haul out of the direct run.

6215. Dominion Express Company's rate on condensed milk from Beachville, Ont., to Toronto, Ont.

6216. Grand Trunk Railway Company employees attaching C.O.D. checks to crate of trained dogs, thus causing inconveniences to complainant.

6217. Grand Trunk Railway Company charging $1 car rental, on car of cement.

6218. Canadian Pacific Railway Company's train service east and west of Pembroke, Ont.

6219. Canadian Pacific Railway Company changing tariffs, thus increasing the switching rates on cars of material shipped over the G.T.R. to Toronto, Ont., and later transferred by the C.P.R. to private sidings.

6220. Canadian Pacific Railway Company's charges for unloading and cleaning on a car of cattle shipped from Point Fortune, Que., to East End Stock Yards, Montreal, Que.

6221. Quebec, Montreal and Southern Railway Company's rates on hay between Yamaska and Chateauguay, Que.

6222. Canadian Pacific Railway Company's delay in settling claim for freight overcharge on a shipment from Long Leaf, Louisiana, to Trenton, Ont.

6223. Distribution of cars by the Canadian Northern Railway Company at Sturgis, Sask.

6224. Car shortage at Sturgis, Sask., on the line of the Canadian Northern Railway Company.

6225. Distribution of cars on the Grand Trunk Pacific Railway at Yarbo, B.C.

6226. Damage caused by the construction of the Edmonton, Dunvegan and British Columbia Railway in Section 24-78-6, W. 6 M., Spirit River, Alta.

6227. Conductor on G.T.R. train No. 91, locking the doors on the first two day coaches from engine, before the train reaches Sunnyside Station, Ont., until after the tickets have been collected.

6228. Grand Trunk Railway Company not giving notification of the arrival of shipments at destination, yet reckoning their demurrage charges from time of arrival of cars.

6229. Canadian Pacific Railway Company's proposed closing of station at Two Creeks, Manitoba.

6230. Car shortage at Bruno, Sask., on the line of the Canadian Northern Railway Company.

6231. Car shortage at Loyalist, Alta., on the line of the Canadian Pacific Railway Company.

6232. Canadian Pacific Railway Company's rates on coal, and other commodities (except hay and feed) to Crawford, B.C.

6233. Car shortage at Denholm, Sask. on the Shellbrook Branch of the Canadian Pacific Railway Company.

6234. Pere Marquette Railway Company charging minimum weight of 80,000 pounds on a carload of moulding sand, when the utmost capacity of the car was 71,000 pounds scale weight.

6235. Station accommodation at Canfield, Ont., on the line of the Grand Trunk Railway Company.

6236. Locomotive foreman of the Canadian Northern Railway Company at Winnipeg, Man., running engines without a fireman and without passing the necessary qualifying examinations as a locomotive engineer.

6237. Charges on a shipment containing Christmas presents from Glasgow, Scotland to Golden, B.C.

6238. Grand Trunk Railway Company's crossing at Talbot Road, Canfield, Ont., being dangerous.

6239. Michigan Central and Toronto, Hamilton & Buffalo Railway Companies' freight rate on hay and straw from Hagersville to Bartonville, Ont.

6240. Car shortage at Wroxton, Sask., on the line of the Canadian Northern Railway Company.

6241. Canadian Northern Railway Company's refusal to construct a shelter to replace the one which was destroyed by fire at Ryerson, Sask.

6242. Notification received by the complainants from the Canadian Northern Railway Company, that hereafter they must keep their siding in repair, although heretofore the Central Ontario Railway Company had maintained this siding in repair at their own expense.

6243. Boston and Maine Railway Company's inability to supply cars for the complainant at Sherbrooke, Que.

6244. Canadian Northern and Canadian Pacific Railway Companies charging excessive rates on carload of coal from Rosedale, Alta. to Golden, B.C.

6245. Canadian Northern and Grand Trunk Pacific Railway Companies' rate on potatoes from points east of Calgary to Winnipeg, Manitoba and Fort William, Ont.

6246. Canadian Pacific Railway Company's rate on a shipment of effects shipped from Murillo, Ont. to Cartwright, Man.

6247. Alleged unjust demurrage charges assessed by the Canadian Pacific Railway Company on cars of coal consigned to Saskatoon, Sask.

6248. Car shortage at Woodhouse, Alta., on the line of the Canadian Pacific Railway Company.

6249. Canadian Pacific Railway Company's proposed discontinuance of the daily way freight train service between Kingston and Renfrew, Ont.

6250. Car shortage at Brisban Siding between Harris and Zealandia, Sask., on the Canadian Northern Goose Lake Line.

6251. Car shortage at Eaton, Sask., on the Kindersley Subdivision of the Canadian Northern Railway Company.

6252. Export rates on lumber.

6253. Rates charged by the Canadian Express Company from Georgetown, Ont., to Hull, Que.

6254. Dangerous crossing near the Intercolonial Railway Company's station at Cap St. Ignace, Que.

6255. Refusal of Bell Telephone Company to install a telephone instrument in the complainant's house in Toronto.

6256. Grand Trunk Pacific Railway Company's loading platform at Green Siding (Marengo, Sask.) being unsafe.

6257. Freight train service furnished by the Canadian Pacific Railway Company on its Virden-McAvley Branch.

6258. Premier Coal Company taking coal from underneath spur line of the complainants.

6259. Canadian Northern Railway Company's crossing at Main Street, Vegreville, Alta.

6260. Lack of lighting of cars and insufficiency of accommodation on the Toronto, Guelph, Owen Sound passenger trains of the Grand Trunk Railway Company.

6261. Car shortage at Wolseley, Sask., on the line of the Canadian Pacific Railway Company.

6262. Car shortage at Girvin, Sask., on the Regina-Saskatoon Line of the Canadian Northern Railway Company.

6263. Switching charge assessed on a car of coal destined to Golden, B.C., but hauled to Drumheller to be weighed by the Canadian Pacific Railway Company.

6264. Canadian Northern and Grand Trunk Railway Companies charging excessive freight on a shipment of thoroughbred horses from Prince Albert, Sask., to Brussels, Ont.

6265. Proposed action of the express companies in connection with amendment to special fish tariffs.

6266. Dominion Express Company issuing notice relative to proposed changes in fish tariffs.

6267. Freight rate charged by the Canadian Northern Railway Company on an engine shipped from Dauphin, Manitoba, to Abby, Sask.

6268. Board of Highway Commissioners' complaint that it has not been notified of any application or order with reference to road diversion on the Canadian Northern Railway.

6269. Car shortage at Wiseton, Sask., on the line of the Canadian Northern Railway Company.

6270. Train service on the Virden-McAuley extension of the Canadian Pacific Railway Company.

6271. Condition of station and platform at Tavistock, Ont., on the line of the Grand Trunk Railway Company.

6272. Condition of Canadian Pacific Railway Company's gate on the complainant's property at Ste. Anne de La Parade, Que.

6273. Water at mileage 29.8, on the line of the Georgian Bay and Seaboard Railway Company, flooding the road allowance in the Township of Eldon, Ont.

6274. Canadian Northern Railway Company's train and mail service on the Winnipegosis Branch.

6275. Treatment received at the hands of the Grand Trunk Pacific Railway Company in connection with stock at Birtle, Man.

6276. Grand Trunk Pacific Railway Company refusing to recognize claim for overcharge on oats in a shipment of hogs and oats, in one car from Edmonton, Alta.

6277. Contract submitted by the Bell Telephone Company which includes certain charges for connections.

6278. Canadian Northern Railway Company's train service at L'Orignal, Ont.

6279. Classification and rates on iron toys.

6280. Grand Trunk Pacific Railway Company's proposed closing of Willow River Station, B.C.

6281. Canadian Pacific Railway Company collecting $6.25 additional at Montreal, Que., on a ticket purchased at Vancouver, B.C., good between Vancouver, B.C., and Halifax, N.S.

6282. Grand Trunk Railway Company's freight rate on a ditching machine which was shipped from Enterprise, Man., to Guelph, Ont.

6283. Canadian Northern Railway Company receiving guaranteed bonds for the building of a branch line of railway west from Shellbrook, Sask., and subsequently using the proceeds to expedite work in other places, the branch line remaining untouched.

6284. Car shortage at Nobleford, Alta., on the line of the Lethbridge to Calgary branch of the Canadian Pacific Railway Company.

6285. Car shortage at Barons, Alta., on the Lethbridge to Calgary branch of the Canadian Pacific Railway Company.

6286. Canadian Pacific Railway Company's proposed closing of Whitla Station, Alta.

6287. Grand Trunk Railway Company's service for transportation of hogs from Toronto, Ont., to Montreal, Que.

6288. Canadian Northern Railway Company removing planking at public road crossing between the Villages of Leask and Marcelin, Sask.

6289. Car shortage at Abernethy, Sask., on the Verden to Saskatoon line of the Canadian Pacific Railway Company.

6290. Canadian Northern Railway Company not furnishing fuel for use in the Shelter at Tiny, Sask.

6291. Canadian Northern Railway Company's switching charges at Drumheller, Alta.

6292. Inability to use switch on the Niagara, St. Catharines and Toronto Railway owing to there being no through tariff (joint rates) either with the Canadian Pacific Railway Company or the Grand Trunk Railway Company.

6293. Canadian Northern Railway Company asking excessive charges for a site upon which to erect a coal bin.

6294. Canadian Pacific Railway Company, Canadian Northern Railway Company and Grand Trunk Pacific Railway Company's circular cancelling all free return transportation for live stock shippers west of Port Arthur, Ont.

6295. Grand Trunk Railway Company's culvert not being large enough to properly drain complainant's land, Lot 5, Concession 3, Township of Kinloss, Ont.

6296. Administration of the Victoria Bridge by the Grand Trunk Railway System.

6297. Non-completion of Canadian Pacific Railway Company's line, Empress to Acme, Alta.

6298. Train service on the Lulu Island line of the Vancouver, Fraser Valley and Southern Railway Company between Eburne and Westminster, B.C.

6299. Refusal of the Bell Telephone Company to give the Machine Telephone Company connections for long distance business.

6300. Discrimination in favour of shipments of live lobsters from Halifax, N.S., to Detroit, Mich.

6301. Discrimination against Dominion Government Railway (I.C.R.) on account of having to route shipments via Canadian Pacific Railway in order to get space on its steamships from West St. John, N.B.

6302. Proposed reduction in freight rate on iron and steel scrap, from the Western Provinces to the mills in Ontario and Quebec.

6303. Canadian Northern Express Company exacting an express rate of $2 per 100 pounds from Preeceville to Canora, Sask., which was old rate when parcels were sent around by longer route.

6304. Canadian Northern Railway Company's lack of fencing from mile 7 to 18 west of Tollerton, Alta.

6305. Grand Trunk Railway Company's delay in transferring car of coal to the Canadian Northern Railway at Toronto, Ont.

6306. Closing of the Great North Western Telegraph Company's office at Hagersville, Ont.

6307. Car shortage at Radville, Sask., on the line of the Canadian Pacific Railway Company.

6308. Delay to mail caused by the Canadian Pacific Railway Company's reduction in train service between Pembroke and North Bay, Ont.

6309. Refusal of the Canadian Northern Express Company to return parcel free of cost from Chamberlain, Sask., to Winnipeg, Man., the point of shipment, when the express company had failed to give any notification of arrival of parcel at Chamberlain, Sask.

6310. Refusal of Canadian Northern Railway Company to give a refund for unused portions of tickets, Toronto to Lyn, Ont.

6311. Car shortage at Bengough, Sask., on the line of the Canadian Northern Railway Company.

6312. Refusal of the Grand Trunk Railway and the Canadian Pacific Railway Company to accept shipments of explosives from the Canadian Northern Railway Company.

6313. Proposed tariff of Canadian Railway Companies, effective February 1, 1916, whereby an additional charge is made for heated car service.

6314. Inability to secure settlement of claim for loss of baggage on a journey from W. St. Johns, N.B., to Alsask, Sask., over the Intercolonial, Grand Trunk, and Canadian Northern Railway Companies.

6315. Delay in transit to shipment of furniture from Montreal, Que., to Talher, Alta., via Edmonton, Alta., over the lines of the Canadian Pacific and the Edmonton, Dunvegan and British Columbia Railway Company.

6316. Canadian Pacific Railway Company's freight rates from Kingston, Ont., to Arden, Kaladar and Sulphide, Ont.

6317. Excessive customs entry fee collected by the Dominion Express Company on a shipment of raw furs from Golden, B.C., to Corry, Penn.

6318. Refusal of the Grand Trunk Railway Company to give the complainant a crossing on his farm, Township of Sidney, Ont.

6319. Joint rate on pulpwood over the Canadian Northern and Grand Trunk Railway Company from Desaulniers to Thorold and Merriton, Ont., as compared with rate on same commodity over the Temiskaming and Northern Ontario Railway for a similar distance.

6320. Canadian Northern Express Company's rates on butter.

6321. Inability of complainant to get his money from the Canadian Northern Express Company on a C.O.D. shipment of furs for which the said Canadian Northern Express Company failed to collect the charges.

6322. Removal of station agent from Blucher Station, Sask., by the Canadian Pacific Railway Company.

6323. Grand Trunk Railway Company's Supplement No. 8 to G.T.R. C.R.C. No. E-2962 and Supplement No. 15 to G.T.R. C.R.C. No. E-2977, effective February 15, 1916, eliminating the Duluth Gateway in connection with business to and from points on the C.N.R. while maintaining service via the Emerson-Winnipeg Gateway.

6324. Canadian Pacific Railway Company's freight rates on lumber from Markdale to Chatham, Ont.

6325. Canadian Northern Railway Company's Bulletin No. 47 in matter of engines double heading on freight trains.

6326. Proposed Grand Trunk Pacific Railway through terminal rates to Ketchican, Alaska.

6327. Carload shipments of cotton from the Southern States being split up and arriving at complainant's mills in less than carload lots, resulting in a cartage charge of four cents per hundred pounds.

6328. Canadian Northern Railway Company's lack of fencing north of Glencairn, Man.

6329. Grand Trunk Railway Company's agent refusing to place cars for unloading on siding at Glen Robertson, Ont.

6330. Classification and rating given to shipments of wool in bales over the Canadian Northern Railway Company's line.

6331. Canadian Northern Railway Company's refusal to settle claim for freight overcharge on a shipment of apples and vegetables from Saskatoon to Forgan, Sask.

6332. Grand Trunk Pacific Railway Company's refusal to settle claim for freight overcharge on shipment of coal shipped from Entwistle, Alta., to Gallivan, Sask.

6333. Shortage of cars and train service between O'Brien and Hervey Junction, Que., on the line of the Transcontinental Railway Company.

6334. Complainants being required to keep gates closed in winter on account of snow not being cleared away, on the line of the Canadian Pacific Railway Company, in the Parish of Grondines, Que.

6335. Discrimination against the London and Port Stanley Railway Company in matter of rates and divisions on coal traffic.

6336. Freight rates on lumber, carload lots, Dayton, Ont., to Detroit, Mich.

6337. Treatment received at the hands of the Canadian Northern Express Company in connection with collection of C.O.D. charges on a diamond pin shipped to Spokane, Wash., U.S.A.

6338. Train service on the Trenton to Maynooth portion of the Central Ontario Railway Branch of the Canadian Northern Ontario Railway Company.

6339. Canadian Pacific Railway Company not keeping the crossing at Big Bend Road, north of Revelstoke, B.C., clear of snow and ice.

6340. Car shortage at Champion, Alta., on the Lethbridge to Calgary line of the Canadian Pacific Railway.

6341. Michigan Central Railroad Company's refusal to take tank cars from the Canadian Pacific Railway Company.

6342. Great North Western Telegraph Company refusing deferred L.C.O. messages to England unless the complainants undertake to give some full rate messages.

6343. Car shortage at Dropmore, Man., on the line of the Canadian Northern Railway Company.

6344. Circular W. 1-A. issued by Canadian Pacific Railway Company of Western Canada covering general instructions to freight agents in connection with freight traffic regulations and matter of brokerage fees for entering shipments of merchandise and household goods, U. S. Customs.

6345. Car shortage at Forgan, Sask., on the line of the Canadian Northern Railway Company.

6346. Dangerous public entrance to Grand Trunk Railway station at Bridgeburg, Ont.

6347. Railway companies figuring freight on timbers used in supporting automobiles in the car.

6348. Grand Trunk Railway Company's delay in delivering freight.

6349. Bell Telephone Company's charges for interchange of service.

6350. Shortage of fuel cars on the Lyleton Branch of the Canadian Pacific Railway Company.

6351. Car shortage at Glenavon, Sask., on the line of the Canadian Northern Railway Company.

6352. Grand Trunk Pacific Railway Company's poor service and discrimination in matter of hauling coal into Calgary, Alta.

6353. Rates on cut glass ware.

6354. Car shortage at Flaxcombe, Sask., on the line of the Canadian Northern Railway Company.

6355. Canadian Northern Railway Company's accommodation for handling of large quantities of grain at Aylesbury, Sask.

6356. Fires in the Province of Alberta, set by the Canadian Pacific Railway.

6357. Fires along the Canadian Northern Railway near Elrose, Sask.

6358. Fire on the line of the Canadian Northern Railway Company at MacRorie, Sask.

6359. Fire caused by the Canadian Northern Railway Company at Wartime, Sask.

6360. Michigan Central Railway Company demanding additional freight charges on wood shipped from Dunnville to Niagara, Ont.

6361. Detroit and Toledo Shore Line Railroad and the Grand Trunk Railway Company's delay in settling claim for freight overcharge on shipment of poles from Killaloe, Ont., to Toledo, Ohio.

6362. Grand Trunk Railway Company asking additional engine charge on a car of ground limestone consigned to Field, Ont.

6363. Grand Trunk Railway Company not giving notice to consignee of incoming freight.

6364. Canadian Pacific Railway Company charging complainant with railway fare after the agent giving him a pass to look after the heating of car in which he was shipping potatoes from La Salette, Ont., to Strassburg, Sask.

6365. Canadian Pacific Railway Company's train service and accommodation from Melrose to London, Ont.

6366. Condition of Canadian Pacific Railway Company's line connecting the coal mines of Bienfait, Sask.

6367. Car shortage at Speers, Sask., on the Shellbrook Section of the Canadian Northern Railway Company.

6368. Canadian Pacific Railway Company taking off the morning and evening express trains between St. Guillaume and Farnham, Que.

6369. Canadian Northern Railway Company blocking principal streets in the Village of Grenville, Que.

6370. McCreary tank in the Municipality of McCreary, Man., causing the drainage ditch to be silted.

6371. Fire caused by the Grand Trunk Pacific Railway Company in the vicinity of Calgary, Alta.

6372. Car shortage at Erncliffe, Man., on the line of the Canadian Northern Railway Company.

6373. Canadian Northern Railway Company's refusal to settle claim for steer killed on their right of way.

6374. Fire caused by Canadian Northern Railway Company's engine in the vicinity of Bryant, Sask.

6375. Car shortage at Heisler, Alta., on the line of the Canadian Northern Railway Company.

6376. Car shortage at Deepdale, Man., on the line of the Canadian Northern Railway Company.

6377. Car shortage at Angusville, Manitoba, on the line of the Canadian Northern Railway Company.

6378. Car shortage at Merid, Sask., on the line of the Canadian Northern Railway Company.

6379. Station accommodation at Adirondack Junction, Caughnawaga, Que., on the line of the Canadian Pacific Railway Company.

6380. Inability of complainant to secure telephone connections with a rural line as he is living just outside the dividing line between the rural line and the Bell Telephone Company's district.

6381. Delay in transit and difficulty of getting cars of coal delivered at Brigden, Ont.

6382. Car shortage at Mervin, Sask., on the line of the Canadian Northern Railway Company.

6383. Canadian Northern Ontario Railway Company's delay in delivering car No. 45350, loaded with paper from Portneuf and consigned to Mile End, Que.

6384. Loss sustained on account of Canadian Northern Railway Company's delay in delivering shipments of hogs into Winnipeg, Man.

6385. Train service supplied by the Canadian Pacific Railway Company on its Varcoe Branch.

6386. Refusal of Canadian Express Company to reimburse complainant for overcoat missing from a trunk shipped from South Porcupine to Toronto, Ont.

6387. Delay in transit to cars of coal consigned to various Canadian points via Black Rock, over the line of the Grand Trunk Railway Company.

6388. Crossing over the Temiscouata Railway Company's line between complainant's property and the public highway being continually blocked with snow.

6389. Canadian Pacific Railway Company (Coronation Branch) charging excessive freight rates to Lorraine, Alta.

6390. Proposed Supplement No. 1 to C.P.R. Tariff E-2570, C.R.C., E-2935, under which it is proposed to eliminate peas (whole) from the domestic list of commodities on which grain rates apply.

6391. Canadian Pacific Railway Company's delay in repairing fences on Section 22-44-2, W. 3 M., Duck Lake, Man.

6392. Refusal of railway companies to give rates to New York and to book contracts via St. John or Halifax for the shipment of metal arsenic and nickel oxide.

6393. Bell Telephone Company charging business rate for telephone service in schools, in St. Malo, Que.

6394. Canadian Pacific Railway Company's time-table showing nothing to indicate connections with the Michigan Central Railway at Windsor, Ont., for through train to Chicago, Ill., over the C.P.R., and M.C.R. lines.

6395. Lack of protection at Grand Trunk Railway crossing of the side road at Bronte Station, Ont.

6396. Refusal of Canadian Northern Railway Company to give complainant a cattle pass on his property in Aldersyde, Alta.

6397. Bell Telephone Company asking a business rate for telephone service in residence where there are roomers.

6398. Bell Telephone Company failing to place complainant's name in alphabetical order in the telephone directory.

6399. Grand Trunk Railway Company's Tariffs Sup. No. 20 to C.R.C. No. E-1860, Sup. No. 21 to C.R.C. No. E-1861 and Sup. No. 13 to C.R.C. No. E-1872 which propose to increase rates on peas to Eastern United States points.

6400. Great Northern Railway Company charging unreasonable rate on lumber from complainant's mill at Rychey's Spur to Grand Forks, B.C.

6401. Michigan Central Railway Company refusing passenger interchange at St. Thomas, Ont.

6402. Canadian Pacific Railway Company refusing to furnish equipment to handle large contracts made with foreign buyers.

6403. Canadian Pacific Railway Company's irregularity in handling grain order book at Gull Lake, Sask.

6404. Lumber camp men having access to liquor at stations, thereby getting intoxicated on railway premises and becoming a nuisance to the public.

6405. Quebec Oriental Railway Company having no whistle post at a very dangerous cut and curve in the vicinity of Gascons, Que.

6406. Bell Telephone Company charging a business rate for telephone service in a religious institution.

6407. Grand Trunk Railway Company refusing to accept a car consigned to Prince Albert, freight collect, stating that freight to Canadian Northern points must be prepaid.

6408. Car situation and lack of an agent at Fairmount Station, Sask., on the line of the Canadian Northern Railway Company.

6409. Freight rate and classification on signs as called for by the Canadian Freight Classification.

6410. Freight rates on lime.

6411. Lighting of the approaches to the Grand Trunk Railway Company's yard at Hanover, Ontario.

6412. Canadian Pacific Railway Company's failure to settle claim for freight overcharge on shipments of coal from Rosedale, Alta., to Golden, B.C.

6413. Bell Telephone Company asking business rate to install telephone in complainant's home at Toronto, Ont.

6414. Refusal of Canadian Pacific Railway lake steamers to call at fruit shippers' wharf at Peachland, B.C.

6415. Grand Trunk and Canadian Pacific Railway Companies' refusal to settle for freight overcharges on car of settler's effects from Meaford, Ont., to Glenside, Sask.

6416. Condition of Canadian Northern Railway Company's station at Carmel, Sask.

6417. Canadian Pacific Railway Company's refusal to settle for claim for demurrage charges assessed on a car of potatoes.

6418. Canadian Northern Railway Company charging demurrage on a car of grain loaded at Zealandia for shipment to Sakatoon, Sask.

6419. Car shortage on the Gravelbourg subdivision of the Canadian Northern Railway Company for the shipment of grain.

6420. Car shortage at Hyas, Sask., on the line of the Canadian Northern Railway Company.

6421. Canadian Pacific Railway Company's delay in delivering shipments of oil to Quyon, Que.

6422. Elevators at Viceroy, Sask., being tied up owing to serious car shortage on the line of the Canadian Pacific Railway Company.

6423. Car shortage at Lloydminster, Sask., on the line of the Canadian Northern Railway Company.

6424. Inability of complainants to load a 36 foot flat car with logs to a minimum of 50,000 pounds and thus having to pay freight on weights they do not ship.

6425. New York Central Railway Company refusing to take stock cars back to Finch, Ont., for shipment to Montreal at night of the day loaded.

6426. Refusal of Canadian Pacific Railway Company to move cars of wood from Alcove, Que., until the snow is off the ground.

6427. Delay in transit to car of coal which is to be transferred from the Grand Trunk Railway Company to the Canadian Northern Railway Company, but still in the Grand Trunk Railway yard on account of dispute between the two companies as to who should clean out the lead.

6428. Canadian Northern Railway car No. 43012, loaded with hay at Moscow and consigned to Cordova Mines, Ont., being held up at Central Ontario Junction.

6429. Refusal of Canadian Pacific Railway Company to haul a carload of cattle from the Canadian Northern Railway Terminals to the stock yards, Montreal, Que.

6430. Car shortage on the Swift Current to Cabri line, Vanguard branch of the Canadian Pacific Railway.

6431. Canadian Northern Express Company charging a rate of 40 cents on fruit from Trenton to Picton, ex the Niagara District.

6432. Canadian Pacific Railway Company's Tariff C.R.C. No. E-2929 advancing rates on paper to United States points.

6433. Suspension of traffic on the Esquimalt and Nanaimo Railway, Parkville to Alberni, resulting in shortage of cattle feed at Hilliers.

6434. Treatment received at the hands of the Canadian Northern Railway Company in connection with seizure of a car of coal.

6435. Canadian Northern Railway Company's refusal to settle for overcharge on a shipment of corn.

6436. Car shortage at Retlaw, Alta., on the line of the Canadian Pacific Railway Company.

6437. Canadian Pacific Railway Company's Tariff W-2866 C.R.C. 1806, increasing minimum on car lots from 30,000 to 35,000 pounds.

6438. Difficulty with the Windsor, Essex and Lake Shore Rapid Railway Company in the matter of a switch to the complainant's plant and rates on brick and tile.

6439. Car shortage at Craigmyle, Alta., on the Saskatoon to Calgary line of the Canadian Northern Railway Company.

6440. Car shortage at Riding Mountain, Man., on the line of the Canadian Northern Railway Company.

6441. Pere Marquette and London and Port Stanley Railway Companies' rates on live hogs.

6442. Grand Trunk Railway Company's system of handling shipments of lumber to the complainants' yards in Meaford, Ont.

6443. Car shortage at Chinook and Youngstown, Alta., on the Saskatoon to Calgary line of the Canadian Northern Railway Company.

6444. Canadian Northern Railway Company's train service on its Dalmeny-Carlton Branch.

6445. Approaches to station and yards at Munson, Alta., on the line of the Canadian Northern Railway Company.

6446. Embargo placed on the MacLeod and Aldersyde subdivisions of the Canadian Pacific Railway Company which causes damage to the City of Lethbridge, Alberta, with regard to grain shipments.

6447. Atlantic, Quebec and Western Railway Company killing cattle at a crossing where the cattle guards have all been removed at Cape Despair, Gaspé County, Que.

6448. Michigan Central Railway Company not supplying complainant with cars on account of clearance at loading platform not being according to the standard set by the Board.

6449. Refusal of the Bell Telephone Company to give a continuous service at Burks Falls, Ont., unless there are 100 subscribers.

6450. Delay of the railway companies in transporting hay and oats to the Eastern seaboard for the Allies.

6451. Canadian Northern Railway Company's delay in settling claim for thoroughbred horses killed at a point where the railway company had removed the cattle guards, near Waseca, Sask.

6452. Car shortage at Kitscoty, Alta., on the line of the Canadian Northern Railway Company.

6453. Car shortage at Lethbridge, Alta.

6454. Intercolonial Railway and Canadian Pacific Railway Company's rates for Harvest Excursions.

6455. Great North Western Telegraph Company's delay in delivering telegrams received at Listowel, Ont.

6456. Canadian Northern Railway Company's refusal to supply cars, except foreign, unless final destination is on the Canadian Northern Railway line.

6457. Lack of proper facilities and accommodation for the convenience of the public at Piapot Station, Sask., on the line of the Canadian Pacific Railway Company.

APPENDIX "B."

LIST OF APPLICATIONS HEARD AT PUBLIC SITTINGS OF THE BOARD FOR THE YEAR ENDING MARCH 31, 1916.

5423. Complaint of the Cuneo Fruit and Importing Company, Limited, of Toronto, Ontario, against discrimination shown by the Grand Trunk Railway Company in the matter of fruit stalls in the old Western Railway station at the foot of Yonge Street, Toronto, Ont. (File No. 25682.)

Order made dismissing the complaint. See Judgment of Chief Commissioner, Appendix "C."

5424. Application of the Canadian Pacific Railway Company for a declaration that the toll prescribed by Rule One of the Canadian Car Service Rules approved under General Order No. 1 of the Board, applies to all cars the contents of which are intended for furtherance by any steamship and which are held on the tracks of the Applicant company at Fort William, under load, beyond the free time allowed, under the said rules. (File No. 1700.93.)

Application struck out with leave granted to the applicant to renew the request at any time.

5425. Railway companies subject to the jurisdiction of the Board will be required to show cause why an Order should not be issued requiring such companies to repay to every ticket holder within thirty days from demand, the cost of any ticket unused in whole or in part, less the original fare for the distance for which such ticket has been used. (File No. 22589.)

Order made that every railway company subject to the Board's jurisdiction repay to every holder of a ticket over its railway, within thirty days from demand in the case of a single line ticket, and within sixty days from demand in the case of a joint ticket, the cost of the said ticket if unused in whole or in part, less the regular fare for the distance for which such ticket may have been used; and affixing a penalty of $25 for failure. See General Order No. 143.

5426. Complaint of Rev. Father H. Desroches, of Quebec, Que., against the practice of the Bell Telephone Company in charging the Business rate for telephones installed in the residence of priests. (File No. 3574.140.)

See Judgment of Assistant Chief Commissioner, dated July 8, 1915, Appendix "C."

5427. Application of William Holmes Brown, of Quebec, Que., under Sections 284, 331, 332, 339 and 395, for an Order directing the Quebec and Lake St. John Railway Company to sell ten trip series of tickets from Quebec to St. Catherines Station, at a rate of forty cents each. (File No. 1115.9.)

Order made refusing the application. See Order No. 23877.

5428. Application of the C. L. O. and W. Railway Company, under Section 178, for authority to expropriate, for the purpose of carrying out diversion of Dundas Street, in the City of Belleville, Ont., certain lands, being parts of Lots 11, 12, 13, 14, 15, 16, 17 and 18 on the north side of Willard Street and part of Lot No. 10 on the south side of Willard Street, Belleville, Ont. (File No. 3701.377.)

Board directed the Canadian Pacific Railway Company to have the matter disposed of by the 1st June, 1916.

5429. In the matter of the application of the Municipality of Chapple, Ont., for an Order directing the Canadian Northern Railway Company to extend the loading track at Barwick, Ont.

(Note.) The Canadian Northern Railway Company will be required to show cause why Order No. 22718, dated 16th of October, 1914, should not be complied with. (File No. 6695.)

Order made that the Canadian Northern Railway Company extend the said loading track at Barwick, Ont., a distance of 400 feet; work to be completed by August 31, 1915. Order No. 22718, dated October 16, 1914, rescinded. See Order No. 23999.

5430. Consideration of the matter of requiring railway companies to provide hand rails on cabs of locomotives and foot rests around same at the same elevation as the running boards, also hand rails on tenders of certain types of locomotives. (File No. 22223.)

Judgment reserved. Matter referred to Board's Chief Operating Officer to report.

5431. Application of the Rural Municipality of Montcalm, Man., for an Order directing the Canadian Northern Railway Company to construct and maintain a proper and suitable crossing over the tracks of the Hope Farm Spur of the Northern Pacific and Manitoba Railway Company along the southerly limit of the Dominion Government road allowance lying to the north of Lot 191, Parish of St. Agathe, in said Municipality of Montcalm, Man., or for an Order authorizing the said Municipality to construct and maintain such crossing. (File No. 26497.)

Order made that the Canadian Northern Railway Company construct a highway crossing over the tracks of its Hope Farm Spur along the southern limit of the Dominion Government road allowance in the Parish of St. Agathe, in the Municipality of Montcalm and Province of Manitoba; the maintenance of the crossing to be borne and paid by the Municipality of Montcalm. See Order 24544.

5432. Application of Paul Wood and others, residents of the Village of Sifton, Manitoba, for an Order directing the Canadian Northern Railway Company to put in proper and sanitary condition the right of way and ditches in the vicinity of Sifton, Man. (File No. 26445.)

No Order made; the Canadian Northern Railway Company undertaking to remedy the defects. Board's Inspector to see that the work is done in accordance with the Board's standard.

5433. Application of William Bell, Winnipeg, Man., for an Order requiring the Canadian Northern Railway Company to prosecute proceedings to ascertain compensation payable to him for land taken for right of way purposes in Lot 44, Block "D," Plan 680, lying between the right of way of the railway company and Jubilee Avenue, and for an Order rescinding Order of the Board No. 19120, dated 26th April, 1913. (File No. 20311.7.)

Under agreement between the parties the questions in issue referred to the Board's Assistant Engineer for investigation and report.

5434. In the matter of further protection to be provided at the highway known as the Pembina Highway Crossing west of Fort Rouge yards on the line of the Canadian Northern Railway Company, Winnipeg, Man. (File No. 20311.1.)

The Canadian Northern Railway Company undertook to install gates by the 1st July, 1916. When the work is completed an Order will be made directing the payment of 20 per cent of the cost out of the Railway Grade Crossing Fund.

5435. Application of the City of Winnipeg, Man., for an Order directing the Canadian Northern Railway Company to complete the work to be done at Bell Avenue according to plans approved by the Board in connection with the grade separation at the north approach to the Norwood Bridge, and also directing the said railway company to place in good condition for traffic the outlet from Bell Avenue north of Main Street as well as south to the bridge. (File No. 15613.)

Order made granting the application upon the conditions set out in the Order; 20 per cent of the cost of the additional work to be paid out of the Railway Grade Crossing Fund; 30 per cent of the remainder to be paid by the Canadian Northern

Railway Company; 30 per cent by the City of Winnipeg; 30 per cent by the City of St. Boniface and 10 per cent by the Winnipeg Electric Railway Company. See Order No. 24627.

5436. Application of the Rural Municipality of Fort Garry, Man., for an Order directing the Canadian Northern Railway Company to construct and maintain a proper and suitable street crossing over the tracks of said railway company along the westerly limit of Lot 78, Parish of St. Norbert, in said Municipality or for an Order authorizing the said Municipality to construct and maintain such crossing. (File No. 26418.)

Order made authorizing the Canadian Northern Railway Company to construct a highway crossing over its railway along the westerly limit of Lot 78 in the Parish of St. Norbert, in the Municipality of Fort Garry, and Province of Manitoba; the construction and maintenance of said crossing to be borne and paid by the Rural Municipality of Fort Garry, and the work to be completed by June 1, 1916. See Order 24545.

5437. Application of D. D. Campbell, Claim's Agent, Winnipeg, Man., on behalf of H. H. Blackburn, for adjustment of freight charges on eighteen cars of ties from Bannock, Sask., to Le Pas, Man. (File 25066.)

Order made refusing the application. See Order No. 24541.

5438. Application of D. D. Campbell, of Winnipeg, Man., for a re-hearing of the matter of requiring railway companies to have grain cars stencilled with a line of inches in four places on each side of the car in order to show the depth of grain in the car. (File No. 20070.)

Judgment reserved. Matter stands until after the general investigation which is being undertaken by the Grain Commission.

5439. Consideration of the question of conditions governing shipments of perishable commodities in heated cars in winter, and in re Order of the Board No. 24459, dated November 20, 1915. (File No. 23540.)

See Judgment of Assistant Chief Commissioner Scott, Appendix " C."

5440. Application of the Montreal Board of Trade Transportation Bureau, on behalf of the Gras Falls Company, for an Order directing the mileage rates on pulpwood as per Canadian Pacific Railway Company's Tariff C.R.C. No. E-2917 be applied to Cap Magdeleine, Que. (File No. 25557.)

Judgment reserved.

5441. Complaint of the Milton Pressed Brick Company against the proposed increase in the rate of the Canadian Pacific Railway Company and Grand Trunk Railway on brick from Milton to Toronto, from 3 cents to 3½ cents per 100 lbs., the schedules covering which were suspended by the Board's Order No. 19973 of August 1, 1913. (File No. 22583.)

Order made that the Canadian Pacific Railway and Grand Trunk Railway Companies, each from its respective shipping points, publish and file supplements to their tariffs, C.R.C. No. E-2900 and E-3036, respectively, showing a rate of 3½ cents per 100 pounds on bricks, in carloads of the minimum weights set out in said tariffs, from Milton and other points between Milton and Campbellville, to apply for unloading on the railway of either company at Toronto and the points to which Toronto applies as shown in said tariffs. See Order 23953.

5442. Complaint of the Milton Pressed Brick Company and the Toronto Pressed Brick and Terra Cotta Company against the increase of one half cent per 100 pounds, in the special mileage rates on brick since August 15, 1914, for distances over 90 miles to 750 miles. (File No. 24852.)

See Judgment of Commissioner S. J. McLean, dated June 17, 1915, Appendix " C."

5443. Complaint of the Canadian Manufacturers' Association and the Toronto Board of Trade against the increased rates on brick and sand from Cooksville to

Toronto which were suspended by the Board's Order No. 21327, of February 10, 1914. (File Nos. 23832 and 23833.)

Order made directing that the Board's Orders Nos. 21326 and 21327, dated February 10, 1914, in so far as they suspend the increased rates on brick, be rescinded, and directing that the Canadian Pacific Railway Company's Supplement No. 22 to Tariff C.R.C. No. E-2900 and that Grand Trunk Railway Company's Supplement No. 26 to Tariff C.R.C. No. E-3036, be allowed subject to the proviso contained in the Order. See Order 24027.

5444. Consideration of the freight rates on sugar, in carloads, from Halifax, St. John, Montreal, Wallaceburg, and Vancouver, to all points in Canada. (File No. 21714.)

Matter stands; the British Columbia Sugar Refining Company, Limited, to file a further reply.

5445. Application of the Hull Electric Company, under Section 29, for an Order amending Order No. 23447, dated March 12, 1915, by striking out the following words which occur in the fourth, fifth, sixth, and seventh lines thereof, namely: "Provided that no toll now being charged by the Applicant company for the carriage of passengers on its railway be increased unless the permission of the Board has been first obtained." (File No. 21781.)

Judgment reserved.

5446. Complaint of T. L. Lawrence, of Glenora, Manitoba, respecting the train service on the Wakopa Branch of the Canadian Northern Railway Company. (File No. 25368).

Struck off the list, no one appearing for the complainant.

5447. Application of John Allan, of Cordova, Manitoba, for an Order directing the Canadian Northern Railway Company to provide and construct a cattle pass on his property on the northwest quarter of Section 25-13-17, W. 1 M., Hallboro Branch. (File No. 8318.74.)

Matter stands to enable the interested parties to confer. If no further arrangement is reached complainant to notify the Board.

5448. Complaint of the Rural Municipality of St. Paul, Bird's Hill, Manitoba, against the Canadian Pacific Railway Company having four tracks accross Two Mile Road at the entrance to Gravel Pit. (File No. 25833.)

No order necessary, the Company having undertaken to remove the cause of complaint.

5449. Complaint of the Rural Municipality of St. Paul, Bird's Hill, Man., against the Canadian Pacific Railway Company not having any road entrance to the Bird's Hill Station. (File No. 25834.)

The C.P.R. Co. undertaking to give access to the station the Board directed that the matter should stand pending the decision of the Exchequer Court.

5450. Complaint of the Rural Municipality of St. Paul, Bird's Hill, Man., against the condition of the ditches constructed by the Canadian Pacific Railway Company to drain their main line through the Municipality of St. Paul, Man., on the East side of the Red River. (File No. 25454).

Judgment reserved. Board's Engineer to make an inspection and report.

5451. Complaint of the Rural Municipality of Ste. Anne, Man., relative to the wet condition of station grounds of the Canadian Northern Railway at that point owing to overflowing well and water tank. (File No. 25517).

The C.N.R. Co. directed to remove the cause of the complaint and to commence work by the 25th June, 1915. The Board's engineer to investigate and report.

5452. Application of the Municipal Council of Lavalee, District of Rainy River, Ont., for a hearing with reference to the reinstatement of an agent by the Canadian Northern Railway at Devlin, Ont. (File No. 15328).

Application refused.

5453. Petition of the Lakeland Grain Growers' Association, for a siding on section 32-15-9, W. 1 M., on the Delta Branch of the Canadian Northern Railway Company. (File No. 25890.)

No action taken as an agreement had been reached between the parties.

5454. Petition of the Grain Growers' Association and others of Hazelridge District asking for better station facilities and accommodation by the Canadian Pacific Railway Company at Hazelridge, Man. (File No. 22830.)

No action taken, the C.P.R. Co. undertaking to improve the station facilities at the point in question.

5455. Complaint of Joseph Rinn, of Elm Creek, Man., that the Midland Railway Company of Manitoba (Great Northern Railway Company) has neglected to erect fences on its right of way on his property. (File No. 9994-213.)

Matter referred to Board's Engineer for inspection and report as to this and any other similar cases, if any, in the same locality. The railway company directed to erect fences.

5456. *Re* North Norfolk, Manitoba, diverted crossing, Canadian Pacific Railway Company.

Application of the Rural Municipality of North Norfolk, Man., for an Order directing the Canadian Pacific Railway Company to put their portion of the roadway in proper shape and to place a time limit for the completion thereof. (File No. 20114.)

Referred to Board's Engineer to make an inspection and report in the autumn as to the condition of the road.

5457. Complaint of the Township of Neebing, Ont., relative to the matter of a proper crossing over the Canadian Northern Railway Company's line of railway between Lots 15 and 16, Township of Neebing, Ont. (File No. 9188-147.)

Order made directing the C.N.R. Co. to file with the Board a plan and profile of said railway at the point in question by the 25th June, 1915, and within 30 days after approval of said plan and profile to construct and maintain at its own expense the said highway. See Order 23750.

5458. Petition of residents and stock raisers of Hinton, Alberta, for an Order directing the Grand Trunk Pacific Railway Company to fence its right of way between mile 967 and mile 985 West of Winnipeg. (File No. 9994.83.)

Order made directing the G.T.P. Ry. Co. to erect and maintain fences on both sides of its right of way between mile 967 and mile 985 west of Winnipeg; work to be completed by July 28, 1915. See Order No. 23784.

5459. Application of the Winnipeg Sandstone Brick Co., Ltd., for approval of spur crossing Pembina street from the Canadian Northern Railway siding on the east side of the railway workshops to the Winnipeg Sandstone Brick Co., Ltd., on the opposite side of Pembina street. (Adjourned hearing.) (File No. 22434.)

Order made dismissing the application.

5460. Application of Randall, Gee & Mitchell, Limited, of Winnipeg, Man., for a re-consideration of their complaint against the refusal of the Canadian Pacific Railway Company to entertain claims for refund for the difference between construction charges and through grain rates from Torquay and Outram respectively to Fort William, Ont. (File No. 24292.)

See Judgment of the Chief Commissioner and of Commissioner S. J. McLean, Appendix " C."

5431. On complaint of the Balmoral Brick Company of Winnipeg, Man., the Canadian Pacific Railway Company to show cause why item No. 35-A, Supplement No. 25 to Commodity Tariff C.R.C. No. W. 1969, increasing the rates on brick from certain shipping points to Winnipeg or St. Boniface, to take effect March 15, should not be disallowed. (Adjourned hearing.) (File No. 25578.)

Complaint dismissed.

5462. Application of the Canadian Northern Railway Company for authority to remove siding serving the property of the Doty Engine Works Company on the south side of Notre Dame Avenue, in the City of Winnipeg, Man., east of and adjoining said Applicant's right of way. (File No. 25525.)

Application withdrawn.

5463. Application of D. D. Campbell, Claims Agent, Winnipeg, Man., in behalf of H. Blackburn, for a ruling with respect to an alleged overcharge on 18 carloads of ties from Bannock, Sask., to Le Pas, Man. (File No. 25066.)

Board directed that the C.N.R. Co. adjust the bills on a basis of actual weights subject to a minimum of 30,000 pounds. No Order necessary.

5464. Application of the Canadian Pacific Railway Company for authority to terminate the siding agreement, dated September 30, 1911, between the Canadian Pacific Railway Company and P. J. Manion and James Murphy, of Fort William, Ont., respecting a siding in Winnipeg, Man. (File No. 25634.)

Order made that in pursuance of the agreement between the Railway Company and the parties named under which the siding was constructed to the premises of the respondents, leave be granted to the applicant company to terminate the same. See Order 23883.

5465. Application of the City of Winnipeg, Man., for an order requiring the Canadian Pacific Railway Company's Telegraph, Canadian Northern Telegraph Co., Grand Trunk Pacific Telegraph Company, and the G.N.W. Telegraph Company to remove from all the streets within a stated area all their poles, cables and wires, and to place the same underground. (Heard at Winnipeg, June 26, 1914), and

In the matter of complaint of the City of Winnipeg, of the erection by the telegraph companies of their cables in the lanes paralleling Main street. (File No. 24557.)

Board directed that as soon as the Public Utilities Commission issues its order, an order can go granting the application whenever the City of Winnipeg is ready to proceed with the work.

5466. Application of the City of Winnipeg, Man., for leave to erect transmission line of the Winnipeg Power & Transmission Line across the Canadian Northern Railway Company's Bird's Hill line; and for leave to construct and maintain across said railway a permanent roadway for patrolling the said lines for electricity; and that the costs in connection therewith be borne by the Canadian Northern Railway Company. (File No. 25083.)

Order made that the C.N.R. pay to the City of Winnipeg all costs incurred in respect of the temporary construction rendered necessary by the construction of the railway; also that the railway company pay to the City all costs incurred by it in connection with the erection of the permanent structure for the carrying of three 13,000 volt lines and one 66,000 volt line. See Order No. 24199.

5467. Application of the railway companies operating east of Port Arthur, for permission to increase their rates on grain and grain products from Port Arthur, Fort William and the transfer ports on the Georgian Bay and Lake Huron eastwardly. (File No. 25547.15.)

Judgment reserved.

5468. Railway Companies are required to show cause why, in any event, the provisions of Order No. 22963, dated December 4, 1914, should not be extended to brick minimum in Western as well as Eastern Canada. (File No. 19475.19.)

Order made dismissing the application.

5469. Consideration of the rates and practices of the railway companies with respect to interswitching and local switching services at common and terminal points. (Case No. 2846.)

See Judgment of Assistant Chief Commissioner Scott, Appendix "C."

5470. Complaint of the Two Creeks Grain Growers' Association, Two Creeks, Manitoba, against discrimination in freight rates as between Winnipeg and Elkhorn and Winnipeg and Two Creeks, Man., on the line of the Canadian Pacific Railway Company. (File No. 18755.27.)

Order made directing the C.P.R. Co. to amend its distributing tariff from Winnipeg, St. Boniface, Paddington and North Transcona so as to apply the same rates to Two Creeks, Man., as to Elkhorn, Man. See Order No. 24040.

5471. Application of the Canadian Pacific Railway Company for an Order authorizing the removal of spur tracks, Stonewall, constructed for John Gunn and E. Williams and Company; spur Airedale, constructed for William Quarry Co., spur Gunns, constructed for John Gunn, also spur Guntin, constructed for Donald Gunn, all of these spurs being now used by the Manitoba Quarries, Limited. (File No. 25167.)

Application withdrawn.

5472. Application of the Grand Trunk Pacific Railway Company for an Order authorizing the immediate discontinuance of station agent at Elie, Man.

(Note.)—The Board will consider the application of the G.T.P. Ry. for reconsideration of Order No. 23537, dated April 13, 1915. (File No. 4205-58.)

Order made that all outward L.C.L. shipments from Elie be properly housed. The Railway Company authorized pending further Order to remove the regular agent.

5473. In the matter of the crossing of the Canadian Northern Railway by the tracks of the Grand Trunk Pacific Railway Company's spur to serve the Union Stock Yards in the City of St. Boniface, Man.

(Note.)—The Board will consider the application of the Grand Trunk Pacific Railway Company, for reconsideration of Order No. 23687, dated May 14, 1915. (File 18750.)

Judgment reserved. The operation of the Board's last Order herein stayed in the meantime.

5474. Application of the Canadian Pacific Railway Company for authority to take up the spur of the Beaver Construction Company at Edrans in the Province of Manitoba. (File No. 2538.)

Order made granting the application. See Order No. 23976.

5475. Petition of farmers along the Regina Branch of the Canadian Northern Railway Company between Dundurn and Saskatoon, Sask., for an Order directing that Strehlow, Haultain and Grasswood sidings be made flag stops for the Canadian Northern Railway morning and evening trains. (File No. 25867.)

No order made, the Canadian Northern Railway Company stating that the service desired by the petitioners was now in effect.

5476. Application of John P. Shultz, of Dalmeny, Sask., for a siding on the line of the Canadian Northern Railway Company between Dalmeny and Mennon, Sask. (File No. 25749.)

Order made refusing the application.

5477. Petition of the residents of Lydden, Sask., and vicinity, for an Order directing the Grand Trunk Pacific Railway Company to provide station facilities at that point. (File No. 25632.)

No Order necessary as the Grand Trunk Pacific Company stated that since the complaint was set down for hearing certain facilities have been put in by the Company.

5478. Application of the Board of Trade of Dumblane, Sask., the Board of Trade of Hughton, Sask., the Board of Trade of Wiseton, Sask., the residents of Forgan, Sask., and the Village of Dinsmore, Sask., et al, for better train service on the Elrose-Macrorie Branch of the Canadian Northern Railway Company. (File No. 19221.115.)

Order made directing the Canadian Northern Railway Company to change the time-card on the Elrose subdivision so that the train which leaves Macrorie Junction for Elrose on Thursday shall leave Friday, and the train which leaves Elrose for Macrorie Junction on Friday would leave on Saturday. (See Order 23858.)

5479. Application of the Sibbald Board of Trade, Sibbald, Alta., and the United Farmers of Alberta, Glenada Local Union No. 518, Alsask Local Union No. 145, and Mere Local Union No. 513, for a station agent at Sibbald, Alta., on the line of the Canadian Northern Railway Company. (File No. 25590.)

Order made directing the Canadian Northern Railway Company to appoint a station agent at Sibbald by the 1st of September, 1915.

5480. Complaint of the Rural Municipality of Leask, Sask., against construction gangs leaving large excavations on the road allowance on each side of the railway line at a point two miles north of the Village of Leask on the Prince Albert-Battleford Branch of the Canadian Northern Railway Company. (File No. 25742.)

Board decided that as soon as the Municipality constructs the highway an Order will issue requiring the Canadian Northern Railway Company to fill in the excavation made by the company.

5481. Complaint of Herman Clement, of Eldred, Sask., against the refusal of the Canadian Northern Railway Company to fence its right of way through the N. E. quarter of Section 15-53-7 W. 3 M., Shellbrook-Big River Branch. (File No. 9994.224.)

Order made directing the Canadian Northern Railway Company to erect and maintain fences on each side of its right of way through the said Township, work to be completed within 60 days from the date of the Order. See Order No. 23764.

5482. Complaint of W. T. Hall, Surbiton, Bratton, P.O., Sask., respecting damage to his property and buildings and danger from fires on account of construction of the Macrorie to Elrose Branch of the Canadian Northern Railway Company, in close proximity to his house. (File No. 19221.157.)

No Order necessary.

5483. Petition from settlers along the Crooked Lake Extension of the Canadian Northern Railway Company between Canwood and Polworth, Sask., for an Order directing the Canadian Northern Railway Company to fence its right of way in that district. (File No. 9994.223.)

Order made directing the Canadian Northern Railway Company to erect and maintain fences on each side of its right of way between Canwood and Polworth, in the Province of Saskatchewan. Work to be completed by the 27th July, 1915.

5484. Complaint of E. W. Barker, of Emmaville, Sask., that he paid $132 on a carload of settlers' effects including five horses, weight 24,000 pounds from Willows, Sask., to Turtleford, Sask., via Regina, notwithstanding that the Canadian Northern Railway expense bill dated March 9, 1915, shows total charges of $96.80, viz. Canadian Pacific Railway, $56; Canadian Northern Railway, $40.80. (File No. 25799.)

No Order made, complainant advised that he is entitled to a refund of $20 from the railway company.

5485. Petition from the residents in the vicinity of Neola, Sask., for a small platform and waiting room at that point on the line of the Grand Trunk Pacific Railway Company. (File No. 25715.)

No Order made, the company undertaking to make a regular stopping place opposite the section house and to arrange that trains may be flagged from a convenient point.

5486. Complaint of the Board of Trade of Provost, Alta., against the action of the Canadian Pacific Railway Company in changing its train service between Hardisty and Wilkie by the cutting off of two trains. (One each way a week.) (File No. 25563.)

No Order made, the Canadian Pacific Railway Company stating that service had been arranged to the satisfaction of the complainants.

5487. Complaint of the Board of Trade of Domremy, Sask., against reduction in train service at that point on the line of the Grand Trunk Pacific Railway, Young to Hoey Branch. (File No. 25752.)

No Order made, the railway company having furnished the train service asked for.

5488. Application of the Board of Trade of North Battleford as follows:

(a) That dried fruits (apricots, berries, currants, dates, figs, peaches, prunes and raisins) be given the same ratings as dried or evaporated apples in the Canadian Freight Classification.

(b) That egg fillers and toilet paper be included in the "groceries" list of the said classification. (File No. 25672.4.)

Canadian Northern Railway Company to file an answer to the complaint and furnish a copy to the applicants.

5489. Complaint of the R. S. McClean Grain Company, Ltd., of Saskatoon, that the railway companies refuse milling-in-transit to grain stopped off at Saskatoon for the purpose of obtaining elevator weight at the Saskatoon Government Elevator, and then reforwarded. (File No. 25911.)

See Judgment of Chief Commissioner, Appendix "C" to the effect that the arrangement between the parties appears fair and equitable and should be approved.

5490. Application of Jos. and Hector Ricard for an Order directing the Edmonton, Dunvegan and British Columbia Railway Company to provide a farm crossing on the farm of the applicants on the N. E. quarter of Section 28-56-26, W. 4 M., Alta. (File No. 18903.93.)

Application refused.

5491. Complaint of Henry A. South against the Canadian Northern Railway Company for failure to fence its right of way in the north east quarter of Section 21-25-7, W. 3 M. (File No. 9994.211.)

Order made directing the Canadian Northern Railway Company to erect and maintain fences on each side of their right of way through the north east quarter of Section 21, Township 25, Range 7, W. 3 M., work to be completed by the 27th July, 1915.

5492. Petition from the residents of Eunice, Alta., protesting against the location of the proposed site of the station on the line of the Edmonton, Dunvegan and British Columbia Railway, at that point. (File No. 18903.82.)

Petition refused. See Judgment of Commissioner S. J. McLean, dated October 6, 1915, Appendix "C."

5493. Complaint of L. L. Pound, of Ribstone, Alta., against the action of the Grand Trunk Pacific Railway Company in blocking of crossing on the N. W. quarter of Section 17-43-2, W. 4 M. being crossing of the Ribstone siding and blocking of crossing in the N. E. quarter of the same section. (File No. 2236.100.)

Complaint withdrawn.

5494. Application of John Ratvik, Wetaskiwin, Alta., for an Order directing the Canadian Pacific Railway Company to construct a loading platform at Navarre Siding, Alta. (File No. 25688.)

Order made authorizing the Canadian Pacific Railway Company to construct a siding and grain loading platform. See Order 24620.

5495. Petition of the residents in the vicinity of Entrance, Alta., for an Order directing the Canadian Northern Railway Company to fence its right of way from mile 47 to mile 65 west of Tollerton, Alta. (File No. 9994.207.)

Order made directing the Canadian Northern Railway Company to erect and maintain fences on both sides of its right of way from mileage 47 to mileage 65 west of Tollerton, Alta., work to be completed by the 28th July, 1915.

5496. Application of Joseph Dagenais, Morinville, Alta., for an Order directing the Edmonton, Dunvegan and British Columbia Railway Company to provide a farm crossing on the southwest quarter of Section 34-55-25, W. 4 M., Alta. (File No. 18903.92.)

Order made refusing the application.

5497. Application on behalf of the residents of St. Albert, Alta., regarding the arrival and departure of trains and mail at St. Albert, Alta. (File No. 25348.)

No Order necessary.

5498. Application of the Grand Trunk Pacific Railway Company, under Section 29, for an Order relieving the said company from constructing adjacent to its mail line at a point between Tofield and Deville, in the Province of Alberta, facilities as required by Order of the Board No. 21937, dated May 29, 1914.

(Note)—This matter is set down so that the railway company and Mr. Waite may present their views on the question of rescinding the Order as regards facilities other than the shelter which has been installed. (File No. 19275.)

Referred to the Board's Operating Officer to report as to the facilities which have been put in by the railway company.

5499. Re Edmonton, Dunvegan and British Columbia Railway Company.

The question of rates for the carriage of traffic is set down for investigation and consideration as required by the judgment of the Chief Commissioner. (File No. 18903.76.)

See Judgment of Chief Commissioner allowing the tariffs as filed, dated August 2, 1915, Appendix "C."

5500. Application of the Edmonton, Interurban Railway Company for a reconsideration of Order of the Board No. 23634, dated April 30, 1915, authorizing the Grand Trunk Pacific Railway Company to remove the diamond at the crossing of the Edmonton Interurban Railway over the tracks of the Grand Trunk Pacific Railway Company at 27th Street, in the City of Edmonton, Alta.; and that the authority herein granted be without prejudice to any application to reinstate such diamond when necessary. (File No. 20921.)

Board directed that Order No. 23634 should stand. The Interurban Railway Company granted permission to renew the present application as soon as the company is ready to operate the railway.

5501. Re spur track of the Canadian Northern Railway Company to the premises of H. H. Cooper and Company, Lots 231 and 232, Block 1, Hudson Bay Reserve, Edmonton, ordered by the Board to be constructed at sittings in Edmonton, November 20, 1914.

(Note).—Board will consider the terms of siding agreement submitted by the Canadian Northern Railway Company to H. H. Cooper and Company. (File No. 22372.19.)

Canadian Northern Railway Company to submit a copy of the agreement made in the T. D. Robinson case to the applicants, who are to file their answer by the 28th June. The Railway Company to operate the spur in the meantime without prejudice to its rights.

5502. Application of the Grand Trunk Pacific Railway Company, under Section 227, for an Order approving of the construction of Shand Avenue across its railway in the City of Edmonton, Alta. (File No. 2236.97.)

Order made granting the application.

5503. Application of the City of Edmonton, Alta., under Section 237 for leave to carry Stephen (106th) Avenue over the lines of the Canadian Northern Railway Company and the Edmonton, Yukon and Pacific Railway at or near the intersection of Stephen (106th) Avenue with Twenty-fourth (124th) Street, formerly known as Edward Street. (File No. 25699.)

Order made dismissing the application.

5504. Consideration of the matter of protection at the crossing of the Canadian Northern Railway Company at Ottawa Avenue, Edmonton, Alta. (File No. 9437.1263.)

Order made authorizing the City of Edmonton to raise the sidewalk on both sides of Ottawa Avenue. Work to be done at the expense of the City and be completed by July 22, 1915. Also directing that the Canadian Northern Railway and Grand Trunk

Railway Companies install improved types of automatic bells at the crossings of their respective railways. 20 per cent of the installation to be paid out of the Railway Grade Crossing Fund. See Order No. 23890.

5505. Application of the Canadian Northern Railway Company, under Section 222 of the Railway Act, to construct a branch line or spur for the Edmonton Stock Yards, Limited, in the City of Edmonton. (File No. 22372.20.)

Order made granting the application.

5506. Complaint against the Grand Trunk Pacific Railway Company, respecting accommodation at Cooking Lake Station. (File No. 21583.)

Board directed that the Grand Trunk Pacific Railway Company put in the conveniences set out in the evidence at this station by the 1st of June, 1915.

5507. Petition of Residents and stock receivers of Hinton, Alta., for an Order directing the Grand Trunk Pacific Railway Company to fence its right of way between Mileage 967 and 985 West of Winnipeg. (File 9994.83.)

Order made directing the Grand Trunk Pacific Railway Company to erect and maintain fences on both sides of its right of way between mileage 967 and mileage 985 West of Winnipeg, work to be completed by the 28th July, 1915.

5508. Application of the Hatzic Fruit Growers' Association, Hatzic, B.C., for an Order directing the Canadian Pacific Railway Company to provide a new station and a regular station agent at that point. (File No. 25765.)

Order made directing the Canadian Pacific Railway Company to construct a passenger shelter station at Hatzic, B.C.; detail plans to be submitted within 40 days from the date of the Order; company also directed to appoint and maintain an agent at the said station during the months of June, July, August and September each year. See Order No. 24198.

5509. Complaint of the Municipal Council of Langley, B.C., against the condition of certain crossings on the Vancouver, Victoria and Eastern Railway and Navigation Company's line of railway in that Municipality. (File No. 25283.)

No Order necessary as the matter is settled between the parties.

5510. Application of the Municipality of Maple Ridge, B.C., for an Order directing the Canadian Pacific Railway Company to construct and maintain a suitable crossing over its railway at a point where such railway crosses highway described as follows: "Commencing at a point where road from Steamboat Landing crosses the east and west road in Lot 248, Group 1, thence running through Lot 248, Group 1, to the said Steamboat Landing. (File No. 25917.)

Board directed that an Order would go for the construction of the crossing in question when a wharf has been constructed at this point by the Government for the accommodation of the Municipality of Maple Ridge.

5511. Complaint of the Adolph Lumber Company that the Great Northern Railway Company charge a rate of $1.10 per 1,000 feet on logs from Mott, B.C., to Baynes, B.C., while the contract with the Company shows a rate of $1 per 1,000 feet between these points. (File No. 25248.)

Judgment reserved in order to enable the Railway Company to file any further submissions desired.

5512. Complaint of the Kootenay Shingle Company, Limited, that the Great Northern Railway Company refuse to make an allowance from track scale weights on all cars of lumber and shingles to points in Eastern Canada. (File No. 8799.6.)

Board directed that the railway company make an arbitrary allowance and a refund authorized.

5513. Application of the Municipality of Coquitlam, B.C., to be relieved from paying part of the watchman's salary at the railway crossing of the Vancouver, Victoria and Eastern Railway and Navigation Company on the North Road, in view of

the fact that the said railway company have withdrawn their application to go ahead with the work at this crossing. (File No. 572.33.)

Order made dismissing the application.

5514. Complaint of the Grain Growers' Lumber Company of Vancouver, B.C., that, under Note 2 to Supplement 45 to Tariff C.R.C. No. 1806, the Canadian Pacific Railway Company exacts a higher weight basis on mixed carloads of lumber and shingles to points in Western Canada than to points in Eastern Canada under tariff C.R.C. No. W. 1615, and Transcontinental Tariff C.R.C. No. 1790. (File No. 25795.)

Order made dismissing the application.

5515. Complaint of the Huntting-Merritt Lumber Company, of Vancouver, B.C., that the British Columbia Electric Railway Company refuses to furnish cars over the "Standard" length, and of Great Northern and Northern Pacific ownership, for shipments of shingles to points in Eastern Canada and in the United States reached by the Canadian Pacific Railway or its connections. (File No. 25336.)

Order made dismissing the application. See Order No. 24857 and Judgment of Commissioner S. J. McLean, Appendix "C."

5516. Application of the Union Steamship Company for approval of plan showing overhead foot-bridge from the foot of Carrol street, Vancouver, B.C., to the premises of the Company on the waterfront over the tracks of the Canadian Pacific Railway Company. (File No. 12233.)

Board granted permission to the City of Vancouver to do the work if it so desires and directed the applicant company to take the matter up with the City.

5517. Application of the City of Vancouver, B.C., under Section 237 for an Order sanctioning highway crossing over the tracks of the Vancouver, Victoria & Eastern Railway & Navigation Company, at a point beginning at the north side of Keefer street to a point at the south side of Cordova Street, in the City of Vancouver, B.C. (File 25793.)

Order made granting the application. See Order 23886.

5518. Application of the City of Vancouver, B.C., for an Order under Section 26A of the Railway Act, directing the Vancouver, Victoria and Eastern Railway and Navigation Company to commence the construction of the freight and passenger terminal adequate to the business to be transacted by it at the City of Vancouver as provided by the agreement made and entered into between the said City and the said Company on the 16th day of May, A.D. 1910, in accordance with the plans annexed to the said agreement and approved by the said Board, and by a certain other agreement made between His Majesty the King as represented by the Honourable Richard McBride, Minister of Mines for the Province of British Columbia, and the Vancouver, Victoria and Eastern Railway and Navigation Company, dated 9th day of February, A.D. 1911. (File No. 572.41.)

Order made directing the Railway Company to submit by the 22nd December, 1915, for the approval of the Board, detail plans showing the proposed new location of the station and facilities to be constructed in Vancouver in accordance with the agreement between the applicant and the Railway Company. Work to be completed by the 1st of June, 1917. See Order No. 23881.

5519. Application of the City of Vancouver, B.C., for an Order amending Order of the Board No. 14989, so as to extend the delivery limits of Express Companies to all streets, avenues, etc., passable for vehicles within the limits of the said City of Vancouver, B.C. (File No. 4214.142.)

Order made granting the application without prejudice to the rights of the applicant under the Board's Order No. 17840. See Order 23886.

5520. Complaint of the Nanaimo Board of Trade, Nanaimo, B.C., against the increase in the through rates to Nanaimo by the recent addition of arbitraries to the Vancouver rates. (File No. 25926.)

Order made dismissing the complaint. See Order No. 24808.

5521. Application of John Milsted, James W. Milsted and Hannah Milsted, all of Abbottsford, in the Province of British Columbia, under Section 235, Subsection 2 of the Railway Act, for an Order directing the Great Northern Railway Company to remove the obstruction closing the road across the easterly boundary of Lot 8, subdivision of the Southwest quarter of Section 22, Township 16, New Westminster District, Province of British Columbia. (File No. 25937.)

Order made dismissing the application.

5522. Application of the City of Vancouver for the approval of plans of crossing over the tracks of the Canadian Pacific Railway Company at Rupert street, in the City of Vancouver, in the Province of British Columbia. (File No. 25939.)

Order made dismissing the application.

5523. Application of the Westminster Mill Company, Limited, under Section 323 of the Railway Act for an Order directing the British Columbia Electric Railway Company, Limited, to amend East Bound Tariff No. 18-B and to substitute certain provisions or for an Order disallowing certain entries in the said East Bound Tariff 18-B and prescribing certain amendments. (File No. 26020.)

Order made dismissing the application, the Board holding that it had no jurisdiction.

5524. Application of the Board of Grain Commissioners for Canada for authority to construct tracks to serve the Government elevators and docks in the City of Vancouver, B.C., on the location shown on the plan dated May 19, 1915, on file with the Board. (File No. 25941.)

Order made granting the application subject to the terms and conditions contained in the agreement, dated June 3, 1915, between His Majesty the King and the Hastings Shingle Manufacturing Company, Limited. Order No. 22324 rescinded. See Order 23888.

5525. Application of the City of Nanaimo, in the Province of British Columbia, for an Order directing the Esquimalt & Nanaimo Railway Company to construct a subway under its tracks at Comox Road. (File No. 9437.1262.)

Matter referred to the Board's Engineer to investigate and report.

5526. Application of the Kootenay Shingle Company, Limited, of Salmo, B.C., for the Board's ruling with reference to a claim against the Great Northern Railway Company on a shipment of shingles on which a car of the size ordered was not supplied by the railway company. (File No. 26018.)

Board decided that the Railway Company had done all that it could under the circumstances. No Order made. See Judgment of Commissioner S. J. McLean, Appendix "C."

5527. Application of the Grand Trunk Railway Company for an Order to compel the Great North Western Telegraph Company to remove certain telegraph poles upon the Grand Trunk Railway right of way in the City of Montreal, between Bonaventure Station and St. Henri, Que., which poles interfere with proper clearance for the company's operation. (File No. 24834.1.)

Order made authorizing the clearances for a period of three months from the date of the Board's Order, subject to the company's undertaking to keep its employees off the sides of cars. See Order No. 23868.

5528. Application of milk shippers for a reconsideration of the Order requiring shippers to supply a man to assist in unloading empty milk cans, and the question of general handling of the same. (File No. 16939.1)

Application to amend Order dismissed. Judgment reserved as to the question of company providing a special car. Either party at liberty to file further statements.

5529. Application of the City of Enderby, B.C., for a crossing from Evergreen Avenue to Salmon Arm Road, at Enderby, B.C., on the line of the Canadian Pacific Railway Company. (File No. 24634.)

The applicant to take up the matter with the railway company and endeavour to arrive at a settlement. In the meantime the Board will take no further action.

5530. Complaint of the Kelowna Board of Trade against the charge made by the Canadian Pacific Railway Company for hauling cars from the dock at Kelowna, B.C., to and from various warehouses. (File No. 21250.)

Order made authorizing the Canadian Pacific Railway Company to make a charge of $1.75 a car for the additional service of switching cars and to publish and file an amendment to Tariff C.R.C. No. W-2027 accordingly. See Order 24488.

5531. On complaint of the Mountain Lumber Manufacturers' Association of Nelson, B.C., the Canadian Pacific Railway Company, to show cause why if a suitable car of less than standard length be ordered for a shipment of less than 40,000 pounds and the company supplies a standard car, the charges therefor should not be based on the actual weight subject to the tariff minimum of 30,000 pounds for cars less than 36 feet in length. (File No. 19475.21.)

Board directed that if a smaller car was ordered and the actual weight of shipments was 34,700 pounds and the billing was 40,000, an adjustment should be made on the basis of the actual weight. Complainant to take the matter up with the railway company.

5532. Complaint of the East Kootenay Lumber Company against the proposed cancellation by the Canadian Pacific Railway of their tariff C.R.C. No. E-1916, applying on rough green lumber for dressing and re-shipment, by Supplement No. 1 thereto, which was suspended by Order of the Board No. 23468. (File No. 25753.)

No Order made, the matter having been adjusted between the parties.

5533. Application of the Mountain Lumber Manufacturers' Association of Nelson, B.C., that Supplement No. 1 to Canadian Pacific Railway commodity mileage tariff C.R.C. No. W-2028 be amended to provide that dry slabs, loaded in stock cars, or box cars under 36 feet in length, be carried at a minimum weight of 30,000 pounds per car. (File No. 19475.20.)

No Order made, the matter having been adjusted between the parties.

5534. Application of L. H. Congreave, of Sicamous, B.C., for an Order directing the Canadian Pacific Railway Company to designate a suitable place on the platform for the purpose of receiving guests for his hotel. (File No. 26028.)

Order made dismissing the application.

5535. Application of N. K. Luxton, on behalf of livery and hotel busmen at Banff, Alta., for a hearing of the Board to deal with the matter of station platform privileges at that point, on the line of the Canadian Pacific Railway Company. (File No. 26024.)

Order made dismissing the complaint. See Order No. 24340.

5536. Application of the farmers, ranchers and merchants of Bowell, Alta., and vicinity thereof, for an Order directing the Canadian Pacific Railway Company to appoint a station agent at that point. (File No. 11004.)

Board decided that no Order was necessary.

5537. Application of the Canadian Pacific Railway Company for permission to close the station and remove the agent from New Dayton, Alta., until the grain movement of 1915 begins. (File No. 4205.53.)

Order made refusing the application. See Order No. 24368.

5538. Application of J. V. McHugh, of Calgary, Alberta, for an Order directing the Canadian Pacific Railway Company to erect a station at Navarre Siding, Alta. (File No. 25865.)

Board decided not to make any order. Leave given to renew the application as soon as the new roads referred to in the proceedings are put in.

5539. Application of the Stanmore Board of Trade, *et al.*, for an Order directing the Canadian Northern Railway Company to provide stock yards at Stanmore, Alta. (File No. 25482.)

Board directed that the railway company provide a one-pen stock yard at this point.

5540. Application of A. H. Mayland and others of Calgary, Alta., for a rearrangement by the Canadian Pacific Railway Company of the days for shipping live stock to Calgary. (File No. 25594.)

Board directed that the matter should stand and that the parties interested endeavour to arrange a settlement with the railway company. If a settlement cannot be arrived at then the matter will be taken up again by the Board.

5541. Complaint of the Alberta Farmers' Co-Operative Elevator Company of Calgary, that the Canadian Pacific Railway Company has repudiated a claim of H. Eby, of Carstairs, for loss in weight of a carload of hogs, C. P. 267090, from Carstairs, February 2, 1915, caused by undue delay to car after arrival at Alyth yards. (File No. 25922.)

No action taken by the Board, the matter having been settled.

5542. Application of the Riverside Lumber Company, of Calgary, Alta., for the addition of common lumber, at ratings L.C.L. 4th, C.L. 10th class, to the Building Material List at page 112 of the Canadian Freight Classification No. 16, in connection with Rule 2 (*c*), page 47, so as to provide for the shipment of lumber with building material so listed, at 10th class rates in mixed carloads between points west of Port Arthur. (File No. 19367.40.)

Matter adjourned at the request of the applicant company.

5543. Application of the Board of Trade of Domremy, *re* Grand Trunk Pacific Railway train service at that point, Young to Hoey Branch. (File No. 25752.)

No Order made. The Grand Trunk Pacific Railway stating that the train service asked for has been put into effect.

5544. Application of the Corporation of the City of Edmonton, in the Province of Alberta, under Section 237 of the Railway Act, for authority to construct a highway across the railway yards of the Calgary and Edmonton Railway within the limits of the City for the purpose of opening up Athabasca Avenue. (File No. 22436.)

Parties to file case as far as settled and the Board will deal with the two clauses in dispute.

5545. Complaint of E. W. Hogan, of Banning, Ont., against the action of the Canadian Northern Railway Company in removing their agent from that point. (File No. 24432.)

Order made dismissing the application. See Order No. 23978.

5546. Application of the Canadian Pacific Railway Company for authority to construct tracks across May and Ridgeway streets, Fort William, Ont., and

In the matter of the question of damages to the owners of Lot 32, referred to His Honour Judge O'Leary. (File No. 20538.)

No action taken by the Board as the matter had been settled between the parties.

5547. Application of the City of Fort William, Ont., under Section 29, for an Order rescinding Order No. 23376, dated March 2, 1915, directing the City of Fort William to pave and drain subway where the Canadian Pacific Railway crosses Syndicate Avenue, Fort William, at its own expense; also for an appeal to the Supreme Court of Canada upon the question of jurisdiction and an appeal to the Supreme Court of Canada under sub-sections 2 and 3 of Section 56 upon a question of law. (File No. 24808.)

Order made granting suspension of Order No. 23376.

5548. In the matter of the application of the City of Fort William for the approval of the crossing with its electric railway of the Canadian Northern Railway Company at Victoria avenue and Vickers street, also at the intersection of Franklin street in the City of Fort William, Ont.

(Note).—The Board will consider the question of the postponement of the installation of the interlocking plant at Vickers street and Victoria avenue pending the settlement of the location of the station. (File No. 21135.)

Order made granting the company's application.

5549. Application of the Mount McKay Products, Limited, of Fort William, Ont., and the City of Fort William, Ont., under Sections 226, 227 and 237, for an Order confirming an agreement for the sale by the Mount McKay Products, Limited, to the Corporation of the City of Fort William of an undivided one-half interest in a portion of the spur constructed under Order of the Board No. 20879, dated November 28, 1913, and for such other Order in connection with the use of the said spur by the Corporation of the City of Fort William as may be necessary or expedient under the circumstances. (File No. 22317.10.)

Referred to the Board's Operating Department for investigation and report. Order made permitting the City of Fort William to use the spur for the purposes of the quarry.

5550. Application of the Fort William Board of Trade for an extension of the collection and delivery limits of the express companies operating at Fort William, as fixed by Order of the Board No. 14998, dated August 10, 1911. (File No. 4214.96.)

Board decided that no action should be taken in this matter as the whole matter of express delivery limits was under the Board's consideration.

5551. Complaint of B. J. Ostrander & Co., of Winnipeg, Man., that the railway companies refuse to divert cars containing grain from one lake front elevator to another after the cars reach the yards at the lake front. (File No. 25614.)

Order made dismissing the complaint. See Order No. 24277.

5552. Complaint of the F. A. Guy Grain Company, of Fort William, Ont., against the increase in the minimum charge of the Canadian Pacific Railway from $5 to $6 per car for switching grain between elevators at Port Arthur, Fort William and Westfort, Ont. (File No. 25871.)

Board decided that no Order was necessary.

5553. Application of the Corporation of the City of Fort William, in the Province of Ontario, under Section 237 of the Railway Act, for authority to open up Walsh and Isabella streets, in the said City, across the right of way of the Canadian Northern Railway Company. (File No. 25980.)

Order made authorizing the Corporation, at its own expense, to construct and maintain Walsh street, across the tracks of the Canadian Northern Railway Company. Application to open Isabella street dismissed. See Order 23938.

5554. Complaint of Beatty Brothers of Fergus, Ont., against the rates on malleable iron castings, L.C.L., from Oshawa to Fergus. (File No. 25613.)

Judgment reserved.

Stands to be dealt with after judgment delivered in the Eastern Rates Case.

5555. Application of the Imperial Oil Company, Limited, for an Order disallowing the charge of $2 per car for switching from St. Stephens, N.B., to applicants' siding carload traffic on which the Canadian Pacific Railway Company has received a road haul, as shown first in Supplement 13 to that company's Tariff C.R.C. No. E-2646. (File No. 24672.)

Stands adjourned sine die.

5556. Application of the Standard Paint Company of Canada, Montreal, Que., for rates on prepared roofing, in carloads, to points west of Port Arthur that shall not be greater than the rates charged on asbestos roofing, in carloads, under the current commodity tariff. (File No 25576.)

Judgment reserved.

5557. Application of the Grand Trunk Railway Company for a ruling by the Board in connection with the collection of demurrage charges on privately owned cars delivered on private sidings. (File No. 1700.99.)

See Judgment of Assistant Chief Commissioner, Appendix "C."

5558. Complaint of the Atlantic Sugar Refineries, Ltd., against the increase in the Canadian Pacific Railway Company's commodity rate on sugar, C.L., from St. John, N.B., to St. Stephen, N.B., from 6 cents to 10 cents per 100 pounds. (File No. 25863.)

Application refused.

5559. Discussion of the question, should the practice of publishing commodity rates exclusive of the interswitching, or of publishing one rate for the contracting carriers' delivery and another higher one for interswitch delivery, be continued? (File No. 6713.98.)

Stands.

5560. Application of the Township of Raleigh, Ont., under Section 238, for an Order directing the Michigan Central Railroad Company to provide and construct suitable protection for highway crossing where the railway crosses the centre side road of the Township of Raleigh, in the incorporated village of Buston, Ont. (File 9437.136.)

Order made directing the M.C.R. Co. to install an electric bell at the said crossing by the 19th September, 1915, 20 per cent of the cost of installation of said bell to be paid out of the Railway Grade Crossing Fund, and the remainder by the Railway Company. See Order No. 24014.

5561. Complaint of the Board of Trade, Brigden, Ont., against the train service of the Michigan Central Railroad Company on its St. Clair Branch. (File No. 25851.)

No action taken, the Board upon the report of its operating official being of the opinion that on the present showing at the point of traffic it could not direct any additional train service.

5562. In *re* crossing of the Michigan Central Railroad Company at Park Street, east of the City limits of St. Thomas, Ont. The Michigan Central Railway Company to show cause why a bell should not be installed at the crossing on the Main Line tracks, and that switching movements be flagged over the crossing by the train crew. (File No. 9437.963).

Order made that the Michigan Central Railway Company install an electric bell at the said crossing and maintain the same at its own expense; the bell to be installed by September 20, 1915; all switching movements on the said tracks to be flagged over the crossing; 20 per cent of cost of installation to be paid out of the Railway Grade Crossing Fund; the balance by the Railway Company. See Order No. 24004.

5563. Complaint of the London Board of Trade that the tariffs of the express companies discriminate against London shippers in favour of shippers from Toronto. (File No. 4214.491).

Order made dismissing the application. See Order No. 24236.

5564. Application of the Municipal Council of the City of London, Ont., for approval of plan and profile showing proposed storm sewer along and across the tracks and right of way of the Canadian Pacific Railway Company in the City of London, Ont. (File No. 25881).

Order made in accordance with the Judgment of the Chief Commissioner delivered at the hearing.

5565. Application of the London Railway Commission for an Order directing the London and Lake Erie Railway Company to raise its trolley wires at a point where they cross the London and Port Stanley Railway at Talbot Street, St. Thomas, Ont. (File No. 25542.347.

Board directed that the parties take the matter up with the Board's Electrical Engineer and that no Order will issue until his report is received.

5566. Application of the London Railway Commission for approval of plan showing the London and Port Stanley Railway crossing St. Thomas Street Railway, Talbot Street, St. Thomas, Ont.

(Note).—Board will hear objections of the City as to form of overhead construction at this crossing. (File No. 25542.37).

Board directed that the parties take the matter up with the Board's Electrical Engineer and that no Order will issue until his report is received.

5567. Application of the London Railway Commission for approval of plan showing the London and Port Stanley Railway crossing the St. Thomas Street Railway at Elm Street, St. Thomas, Ont.

(Note).—Board will hear objections of City as to form of overhead construction at this crossing. (File No. 25542-38).

Board directed that the parties take the matter up with the Board's Electrical Engineer and that no Order will issue until his report is received.

5568. Application of the London Railway Commission for approval of plan showing the London and Port Stanley Railway Company's line crossing the St. Thomas Street Railway, Wellington Street, St. Thomas, Ont.

(Note.)—Board will hear objections of the City as to form of overhead construction at this crossing. (File No. 25542.42.)

Board directed that the parties take the matter up with the Board's Electrical Engineer and that no Order will issue until his report is received.

5569. Application of the London Railway Commission for an Order granting the London and Port Stanley Railway the right to operate its cars and trains propelled by electric power, over the Grand Trunk Railway tracks at London, Ont.

(Note.)—Board will hear complaint of Grand Trunk Railway that no plans have been filed by Applicants showing location of tracks and poles of portion of line between Wellington and Colbourne Streets, and that towers have been erected between Waterloo and Wellington Streets on Grand Trunk Railway property; also that Grand Trunk Railway team track between Wellington and Waterloo Streets has been destroyed by erection of poles for cross wires and by guy wires. (File No. 25649.)

No action taken.

5570. Application of the London Railway Commission, under Section 235, for authority to construct team tracks on the north side of Bathurst Street from the junction of the London and Port Stanley tracks on Bathurst Street near Burwell Street east to Adelaide Street, and a second track on the north side of Bathurst Street between Wellington and Richmond Streets; also to construct tracks on the north half of Bathurst Street from the end of the tracks at Richmond Street west to Thames Street. (File No. 25649.3.)

Order made authorizing the London Railway Commission to construct team tracks on the north side of Bathurst Street upon the condition that no rail be laid within a distance of 16 feet south of the said line; also that should the spur be operated in such a way as to prevent proper access to the properties or in any objectionable manner, complaint may be made to the Board. See Order No. 24110.

5571. Application of the Board of Trade of Mimico, Ont., for an Order directing the Grand Trunk Railway Company to provide proper and safe facilities at Mimico Station in order to enable to get on and off trains without the risk of being struck by passing trains and light engines. (File No. 24669.)

Order made directing the railway company to move the station building at Mimico from its present location to its original position to the south of the track. See Order No. 24114.

5572. Application of the Municipal Corporation of the Township of York, Ont., for an Order directing the Canadian Pacific Railway and the Grand Trunk Railway Company to provide and maintain a bell or some other protection for all traffic passing over and along Eglington Avenue where the said railways cross same between Lot 1 on the west side of Yonge Street and Lot 40 on the 3rd Concession from the Bay in the Township of York, Ont. (Adjourned hearing.) (File No. 9437.1244.)

Order made amending Order 24000, dated July 27, 1915, by providing that separate automatic bells be installed by each railway at said crossing; 20 per cent of cost of installing each bell to be paid out of the Railway Grade Crossing Fund. See Order 24092.

5573. Application of the Town of Milton, Ont., for an Order directing the Canadian Pacific Railway Company to provide a better train service at that point. (File No. 25280.)

Board decided that no Order was necessary.

5574. Complaint of the Corporation of Georgetown, Ont., against the Grand Trunk Railway Company taking possession of one of the streets in that town and refusing to construct an overhead bridge and against action of the said Grand Trunk Railway Company in leaving a high embankment without any fence or means of protection. (File No. 25818.)

Matter stands at the request of the applicants in order that the parties may be given an opportunity to confer.

5575. Application of the Canadian Northern Ontario Railway Company, under Section 258, for approval of its proposed passenger and freight station at North Bay, Ont. (File No. 26005).

Order made approving the applicant company's passenger and freight stations at North Bay, Ont. See Order 24195.

5576. Complaint of Mr. J. W. Edwards, M.P., in the matter of the train service of the Canadian Northern Railway Company between Sydenham, Harrowsmith Junction and Kingston, Ont.

(Note).—The Canadian Northern Railway Company is required to show cause why the terms of the By-law, namely:—

> "The said Company are to run a train for passengers and freight from said station (Sydenham) in the forenoon, and one back in the afternoon, making connection with the trains at Harrowsmith every day in the week except Sunday."

should not be carried out by the Railway. (File No. 21660.)

Order made that the Canadian Northern Railway Company pay to the Township of Loughborough the sum of $5,000. See Order No. 24397.

5577. Application of the Board of Trade of Port Hope, Ont., for an Order directing the Canadian Pacific Railway Company and the Grand Trunk Railway Company to establish interswitching facilities between their respective railways in the Town of Port Hope, Ont. (File No. 6713-63.)

Judgment reserved.

5578. Application of the Town of Cobourg, Ont., for an Order directing the Grand Trunk Railway and Canadian Pacific Railway Companies to provide interswitching facilities at Cobourg.

(Note).—Board will consider the terms upon which the Grand Trunk Railway shall be ordered to switch cars to and from the track of the Town of Cobourg on the Esplanade. (File No. 6713-41.)

Order made directing the Grand Trunk Railway Company to interswitch with any other Railway Company whose railway has connection at Cobourg when desired to do so by the Mayor or the Clerk of the Municipality in writing. Order No. 21976, dated June 12, 1914, rescinded. See Order No. 24104.

5579. Application of George Webb, Toronto, Ont., for an Order directing the Canadian Pacific Railway Company to construct a spur line to serve stone yard of the Applicant at Toronto, Ont. (File No. 22333-26.)

No Order made.

5580. Application of the Niagara, St. Catharines and Toronto Railway Company, under Sections 284, 285, 317, 318, 333, and 334, for an Order providing for the transfer of traffic between the Toronto Harbour Commissioners' Dock situated at the mouth of the Don River as diverted, which dock is to be leased to the Applicant Company, and the Canadian Northern Ontario Railway Company's Cherry Street yards, in the City of Toronto, Ont. (File No. 3498.28.)

Board decided that the Traffic Departments of the Railway Companies interested should take up, and if possible settle, the rates. After this is done the matter will be dealt with by the Board.

5581. Application of the Grand Trunk Railway Company, under Section 176, for authority to operate its trains jointly with the Canadian Pacific Railway Company over siding on Pardee Avenue, Toronto, Ont., south of Liberty Street, serving the premises of the Canada Metal Company, Limited, which the Canadian Pacific Railway Company was authorized to construct by Order No. 13152, dated February 27, 1911. (File No. 12259.)

Order made granting the application subject to the conditions set forth in the Order and directing that the Applicant Company be authorized to operate the said spur forthwith. See Order No. 24037.

5582. Petition of F. C. Clarkson, of Toronto, Ont., for an Order rescinding Order of the Board dated May 5, 1914, *re* expropriation of land for Toronto Viaduct. (File No. 588.30.)

Order made that Order No. 22119, dated July 2, 1914, be rescinded in so far as it authorizes the Toronto Terminal Railway to expropriate the lands in question. See Order 24087.

5583. Complaint of S. Frank Wilson & Sons, of Toronto, Ont., against the charge of the Bell Telephone Company of Canada for installation of underground service for new building at the corner of Haydon and Yonge Streets, Toronto, Ont. (File No. 3574.154.)

Board decided that no Order was necessary.

5584. Complaint of Carroll Bros., of Buffalo, N.Y., against the increase of the Grand Trunk Railway Company's rate on sand and crushed stone from Sherks, Ont., to Black Rock and Buffalo, N.Y., for 1½ to 1⁶⁄₁₀ cents per 100 pounds. (Adjourned hearing). (File No. 25075.)

Complaint struck off the list.

5585. Complaint of the World Newspaper Company of Toronto, Limited, that the Grand Trunk Railway Company proposes, from June 27, 1915, to discontinue its 4.25 a.m. newspaper train service from Toronto to Hamilton unless an increased charge for such service be paid; and

In the matter of Order of the Board No. 23898, dated June 25, 1915, directing the Grand Trunk Railway Company to give the World Newspaper Company a newspaper service on train known as the "Flying Post" from Toronto to Hamilton, at the rate of $22 per round trip.

(NOTE.—Board will consider representations of the Globe Printing Company and the Mail Printing Company of Toronto. (File No. 4214.492.)

Struck off the list. Matter will be reinstated at any time if the parties desire it.

5586. Application of the Vaughan Sand and Gravel Company, Ltd., under Sections 322 and 323, for an Order directing the Canadian Pacific Railway Company to readjust and lower its tariff for the conveyance of sand and gravel of the Applicant Company. (File No. 25705.)

No action taken, the railway company agreeing that the rate would be forty-five cents until the Judgment in the Eastern Rates Case was delivered by the Board.

5587. Application of the Toronto Livestock Exchange, the Livestock Shippers' Association, of Ontario, and others, for an order disallowing a charge of $2.50 per car for cleaning and disinfecting single deck stock or box cars and $4 for double deck stock cars, which the railway companies proposed to collect by tariffs published and filed, the said tariffs having been suspended by the Board pending a hearing. (File No. 26059.)

Order made that all railway companies subject to the jurisdiction of the Board publish and file amended tariffs showing a toll not exceeding 75 cts. for cleaning and disinfecting any car in which livestock has been carried; tariffs to carry a notation that the charge is to apply when on account of federal, provincial or municipal regulations it is necessary to do the work in question. See General Order No. 155.

5588. Application of the Legislative Representatives of train service employees for an Order defining the maximum length of trains to be handled on Canadian Railways subject to the jurisdiction of the Board. (File 1750-42.)

Judgment reserved.

5589. Application of Alice McEwen and D. J. C. McEwen, under Sections 252 and 253, for an Order directing the Lake Erie and Northern Railway Company to provide an overhead crossing on their farm on the west side of Mount Pleasant Road, in the Township of Brantford on the Lake Erie & Northern Railway. (File No. 18034-99.)

Order made directing the Lake Erie & Northern Railway Company to provide a suitable farm crossing by means of a crossing at a point 80 feet north of the existing lane; the applicants to provide, for the purpose, a lane beyond the limits of the Company's right of way to the site of the bridge. See Order 24143.

5590. Complaint of Albert Mittlefehldt, of Wellandport, Township of Gainsboro, Ont., as to the location of a cattle pass at or near the Creek running through the Complainant's field composed of Lots 4 and 5 in the 2nd Concession of the said Township of Gainsboro. (File 24560-34.)

Order made directing the Railway Company to make cattle pass 6 feet wide in the clear, as set out in the Order; work to be completed by August 31, 1915. See Order 24019.

5591. Complaints of Young & Eggleston and Ford & Featherston, both of Hamilton, against the tariff rate of 3 cents per 100 pounds for the first week, and 6 cents per 100 pounds for each succeeding week, charged by the railway companies for warehousing iron safes at various points. (File 25315.)

Struck off the list.

5592. Application of the Toronto, Hamilton & Buffalo Railway Company, under Sections 221, 222, and 223, for authority to construct a spur from a point on the Applicant's Main Line in the Town of Dunville, Ontario, in Park Lot No. 6 thence running through the lands recently acquired by the Applicant Company from Johnina Dime and Joan McDowell, thence running through the lands of the Canadian Engines, Limited, and continuing along Forest Street to a junction with a branch line of the Grand Trunk Railway Company, serving the premises of the Dominion Canners, Limited. (File No. 25896.)

Order made granting the application subject to the conditions set forth in the order. See Order 24025.

5593. Application of the T. H. & B. Railway Company under Section 227, for authority to construct, maintain and operate a track or spur in the Township of Moulton, extending from the main line of the Applicant Company's railway (Erie and Ontario Division) immediately north of Diltz Station to and across the lands of and forming a junction with the tracks of the Grand Trunk Railway Company of Canada to enable the Applicant Company to interchange traffic at the proposed junction with the Wabash Railroad. (File 6713-100.)

Application refused.

5594. Application of the T. H. and B. Railway Company, under Section 29, for an Order amending Order No. 23004, dated 19th December, 1914, by providing for the discontinuance of the services of a watchman on Sundays, and between the hours of 8.15 p.m. and 7 a.m. on week days, at the crossing of the Grand Trunk Railway Company of Canada (Air Line jointly operated by the Grand Trunk Railway Company and the Wabash Railroad Company at Mileage Erie and Ontario Branch 9.80 and Grand Trunk and Wabash 34.5 in the Township of Moulton, Ontario, near Diltz.) (File No. 24560.1.)

Order made that so long as the character of the movements over the said crossing shown to exist continues that the companies be relieved from maintaining watchman as set out in the Order. See Order No. 24031.

5595. Application of the Erie and Ontario Railway Company, under Sections 26 and 246, for an Order to restrain the Hydro-Electric Power Commission of Ontario from maintaining and operating its high tension power line and wires over the railway of the Applicant Company through Lot 32, Concession 5, Township of Gainsboro, Ont., until permission has been obtained from the Board by the said Power Commission for the construction of said power line across the Applicant Company's tracks. (File No. 25369.)

Judgment reserved.

5596. Application of the Dominion Sheet Metal Company of Hamilton, Ont., for inclusion of their factory within the free collection and delivery limits of the express companies at Hamilton, Ont. (File No. 4214.110.)

Matter to stand pending an inspection to be made by the Board's Traffic Department.

5597. Application of the T. H. and B. Railway Company, under Sections 221, 222, and 223, for authority to construct a spur in the City of Hamilton, Ontario, from a point west of Birmingham Street on the applicant's easterly belt line to and into the lands of Sir John M. Gibson, to serve the Canadian Horseshoe Company, Limited. (File No. 22581.15.)

Judgment reserved.

5598. Application of the Corporation of the City of Hamilton, Ont., for an Order directing the T. H. and B. Railway Company, to provide watchmen and gates at the intersection of the company's northerly spur or branch railway with Barton Street in the said City of Hamilton, Ont. (File No. 18946.)

Order made dismissing the application. See Order No. 24032.

5599. Application of the City of Hamilton, Ont., for an Order directing the T. H. and B. Railway Company, and the Canadian Pacific Railway Company, to construct a foot bridge carrying the line of Ordnance Street, in the City of Hamilton, over the tracks of the companies, at the intersection of Ordnance Street and the Toronto Branch of the Toronto, Hamilton and Buffalo Railway Company and the Canadian Pacific Railway Company. (File No. 25383.)

Judgment reserved, the Board to visit the locus.

5600. Application of the City of Hamilton, Ont., for an Order amending Clause 2 of Order of the Board No. 23219, dated January 7, 1915, directing the Hamilton Radial Electric Railway Company to relocate its tracks on the ground provided for it on Sherman Inlet, in the City of Hamilton, and that the Hamilton Cataract Power, Light and Traction Company remove its transmission line to the new location. (File No. 17347.)

Order made directing the Toronto, Hamilton and Buffalo Railway Company, at its own expense, to re-arrange the bents of the timber trestle over the applicant company's line at Sherman Inlet, Hamilton, Ont.; work to be completed by the 8th November, 1915. See Order No. 24150.

5601. Application of the City of Hamilton, Ont., under Sections 247 and 248, for an Order directing the Great Northwestern Telegraph Company to remove its poles, wires and cables from portions of King Street, Main Street, James Street, and Merrick Street, in the City of Hamilton, Ont. (To be spoken to.) (File No. 19723.)

Referred to Board's Electrical Engineer for report.

5602. Application of the City of Hamilton, Ont., under Sections 247 and 248, for an Order directing the Canadian Pacific Railway Company's Telegraph to remove its wires from portions of King and James Streets, Hamilton, Ont. (To be spoken to.) (File No. 19724.)

Referred to the Board's Electrical Engineer for report.

5603. Application of the City of Hamilton, Ont., under Sections 247 and 248, for an Order directing the Bell Telephone Company of Canada to remove its wires from portions of streets in Hamilton, as follows:

York, Market, King, Main, Jackson, Catharine, Bowen, John, Highson, James, McNab, and Bay Streets. (To be spoken to.) (File No. 19725.)

Referred to the Board's Electrical Engineer for report.

5604. Application of the Corporation of the City of Hamilton, Ont., for an Order directing the Grand Trunk Railway Company of Canada to establish and maintain gates with watchmen at the intersection of Barton Street and Ferguson Avenue where the tracks of the Company (Northern and North Western Division) cross the said Barton Street, which is the original allowance for road between First and Second Concessions of the Township of Barton, Ont. (File No. 5824, Case No. 2426.)

Order made directing the Grand Trunk Railway Company to install gates at the said crossing to be operated by day and night watchmen appointed by the applicant; work to be completed by the 28th of October, 1915; 20 per cent of the cost of installing to be paid out of the Railway Grade Crossing Fund. See Order No. 24029.

5605. Application of the Toronto, Hamilton & Buffalo Railway Company for an Order to amend Order of the Board No. 24030, dated July 28, 1915, by striking out the figures "6.45" in the fifth line of the operative part of the Order and substituting therefor the figures "7.30." (File No. 24560.26.)

Order made that so long as the character of the movements over the said crossing shown to exist continues that the companies be relieved from maintaining watchman as set out in the Order. See Order No. 24030.

5606. Application of the Canadian Manufacturers' Association, for an Order disallowing the recently published tariffs of the Grand Trunk and Canadian Pacific Railway Companies containing charges for salt, when furnished by the Companies for use with ice, for protection of perishable freight in refrigerator cars. (File 26113.)

Board directed that the Railway Companies file figures within six weeks from the date of the hearing showing the cost of the whole service and that copies of the same be furnished to the applicants.

5607. The Railway Companies, through the Canadian Freight Association, will be required to report progress made in the preparation of bases for joint class and commodity tariffs between Canadian points not already published and filed, the matter having been last spoken to at the sittings at Ottawa, September 16, 1913. (File No. 5261, Case No. 1871.)

Judgment reserved. Matter stands pending the filing of further information by the Railway Companies.

5608. The London Board of Trade to be afforded the opportunity of speaking to their complaints that the Grand Trunk and Canadian Pacific Railway Companies, in conjunction with the Canadian Northern Railway Company have not published and filed joint tariffs on general merchandise between London and Canadian Northern Railway points in Ontario and Quebec. (Adjourned hearing.) (Case 1871, part 2.)

Judgment reserved.

5609. Application of the Canadian Northern Railway Company for an Order relieving it of the necessity of stopping its passenger trains at the Grand Trunk Railway Company's Don Telegraph Office, Toronto Terminals. (Adjourned hearing.) (File No. 26073.)

Order made granting the application. See Order No. 23988.

5610. Application of the London Railway Commission for authority to expropriate certain lands, being lot one on the south side of Philip Street and Lot one on the north side of Trafalgar Street, in the City of London, Ont. (File No. 25649.9.)

Order made granting the application. See Order No. 24209.

5611. Application of the Canadian Explosives, Limited, Montreal, P.Q., for an Order requiring the Grand Trunk and Canadian Pacific Railway Companies to provide interswitching facilities between their railways at Isle Perrot, near Vaudreuil, P.Q (File No. 6713.102.)

Order made directing the Grand Trunk and Canadian Pacific Railway Companies to construct an interchange track between their respective railways at the immediate west end of Vaudreuil bridge; the cost of the work to be borne by the Grand Trunk Railway Company; track to be constructed by November 7, 1915. See Order No. 24283.

5612. Application of the Township of March, Ont., for an Order directing the construction of a subway at public road between the Townships of Huntley and March, Ont., by the Grand Trunk Railway Company of Canada. (File No. 25848.)

Board decided that in view of the present financial conditions brought about by the war, and as the public was not in any way inconvenienced, and now has a safe way of crossing the tracks by the Gourley crossing that no Order should be made at present.

5613. Application of the Canadian Northern Ontario Railway Company, under Section 29, for an Order to vary the Board's Order No. 22160, re farm crossing south half of Lot 25, Concession 3, Township of March, by providing that the amount if any to be refunded by the applicant to the company as provided in said Order, shall be ascertained and determined by one arbitrator and that the costs of said arbitration shall be divided equally between the applicant and the company, and that each party shall pay its own costs. (File No. 3561.194.)

Order made appointing His Honour Judge Gunn, Junior Judge of the County of Carleton, sole arbitrator, each party to pay his own costs and one half the costs of the arbitrator. See Order 24490.

5614. Application of the Canadian Northern Ontario Railway Company, under Sections 29 and 227, for approval of proposed connection with the Canadian Pacific Railway near Chaudiere Junction, and for a rescission of that portion of Order No. 7490, dated July 6, 1909, in so far as it refers to a connection with the tracks of the Ottawa and Prescott Railway Company at mile 56.6 west from Hawkesbury. (Rehearing.) (File No. 10823.)

Order made authorizing the Canadian Northern Ontario Railway Company, at its own expense, to construct a transfer track between its railway and the railway of the Canadian Pacific Railway Company. See Order No. 25111.

5615. Application of the Grand Trunk Pacific Branch Lines Company for approval of plan showing location of proposed connection with the Canadian Pacific Railway near the Globe Elevator at Calgary, Alta.

(Note.)—The Canadian Pacific Railway Company is required to show cause why an Order should not be made requiring that company to allow the Grand Trunk Pacific Branch Lines Company possession of lands necessary for interchange track. (File No. 10821.95.)

Order made directing the Canadian Pacific Railway Company to give up possession of the land necessary to enable the Grand Trunk Pacific Railway Company to build the interchange track and make connection with the Canadian Pacific Railway Company's tracks near the Globe Elevator upon the conditions set forth in the Order. See Order 24191.

5616. Application of the City of Hamilton, Ont., for an Order to vary Order of the Board No. 22957, dated December 5, 1914, in re subway under the tracks of the Grand Trunk Railway Company at Kenilworth Avenue, Township of Barton, Ont. (File No. 23753.)

Order to issue in accordance with draft Order to be submitted by the parties.

5617. Application of the Corporation of the City of Hamilton, Ont., for authority to construct a sewer under the tracks of the Grand Trunk Railway Company at Kenilworth Avenue, Hamilton, Ont. (File No. 26147.)

Matter settled in accordance with the terms of agreement entered into between the parties.

5618. Complaint of the Canadian Northern Railway Company that the Grand Trunk Railway Company refuse to furnish water for cleaning cars at their expense, or permit them to lay pipe to bring water to clean trains at Union Station Terminals, Toronto, Ont. (File No. 588.5.)

Matter stands, parties to file further information.

5619. *Re* City of Edmonton and Calgary and Edmonton Railway crossing at Athabasca Avenue.

(Note.)—Board will settle questions of law to be submitted to the Supreme Court of Canada. (File No. 22436.)

Settled case given to Mr. Larmouth and when printed and security for cost deposited with the Registrar of Supreme Court, certificate of Secretary of Board will be given.

5620. *Re* North Toronto Grade Separation, Avenue Road Subway.

(Note.)—Board will settle questions of law to be submitted to the Supreme Court of Canada. (File 12021.70.)

Case settled for the Supreme Court.

5621. Application of the Canadian Northern Railway Company and W. H. Dwyer, of Ottawa, Ont., for an interchange track between the Canadian Northern and Grand Trunk Railways at Ottawa, Ont. (File No. 6713.97.)

Order made authorizing the applicant company, at its own expense, to construct an interchange track. See Order No. 24416.

5622. Application of Messrs. Naud & Marquis, Quebec, P.Q., for an Order directing the Canadian Pacific and Canadian Northern Railway Companies to establish a transfer track between their respective railways at LeChervrotière, P.Q., to serve the quarries situated at St. Mark, P.Q. (File No. 6713.96.)

Board directed that the Canadian Northern Railway Company file a statement of tonnage and furnish the applicants with a copy thereof.

5623. Application of the Canadian Northern Railway Company for authority to close Laframboise Station, Ont., as a regular billing station. (File No. 4205·83.)

Order made granting the application subject to the condition that the station be kept clean and heated for the accommodation of passengers on the arrival and departure of trains. See Order No. 24259.

5624. Application of the Canadian Northern Railway Company for authority to close the station at Cumberland, Ont., on the Company's Ottawa-Hawkesbury line. (File No. 4205·82.)

Referred to the Board's Chief Operating Officer to ascertain the exact facts and to report to the Board.

5625. Complaint of the Town of Athens, Ont., against the withdrawal of delivery service by the Canadian Northern Express Company. (File No. 4214.477.)

No Order necessary as the Canadian Northern Express Company undertakes to continue the service and not to discontinue it without making further application to the Board.

5626. Application of the London Board of Trade for joint class rates between London, Ont., and points on the Algoma Central Railway. (File No. 26039.)

Judgment reserved. Matter stands pending the filing of further information by the railway companies.

5627. Complaint of the Canadian Manufacturers' Association that the railway companies insist on charging 4th class rates on salted meats, in carloads, instead of 5th class, as provided in item 54, page 113, of the Canadian Freight Association. (File No. 19367.55.)

Order made dismissing the complaint. See Order No. 24241.

5628. Application of the Montreal Corn Exchange Association for further consideration of the application of the Canadian Pacific Railway Company, heard at Montreal, January 29, 1915, with respect to the proposed increased charges at Cartier, Ont., on western grain and grain products held at that point for orders. (File No. 8641.)

Order made authorizing the applicant company to publish and file a tariff to provide for the charging of special tolls for detention of cars containing western grain and grain products at Cartier, Ont., for more than 72 hours while awaiting furtherance orders from consignees thereof, upon the terms set out in the Order. See Order No. 24436.

5629. *Re* release of responsibility in connection with the transfer of perishable freight in cold or stormy weather filed by the Canadian Pacific Railway and approved by Order No. 23860 dated June 16, 1915.

Board will hear argument as to the Special Contract. (File No. 23540.)

Order made amending Board's Order No. 23392. See Order No. 24385.

5630. Application of the City of Toronto to use certain lands of the Canadian Pacific Railway Company in connection with the erection of a bridge at Strachan Avenue, Toronto. (File No. 21673.)

Order made amending Orders Nos. 20643 and 24923 by providing that if in the future the Canadian Pacific Railway Company establishes to the satisfaction of the Board that the alteration or demolition of the said structure is necessary, the bridge be so altered or demolished at the expense of the applicant to provide for the requirements of the railway company. See Order No. 24985.

5631. Application of the Parish of St. Viateur d'Anjour, P.Q., for an Order directing the Canadian Pacific Railway Company to establish a siding and erect a station at that point. (File No. 25711.)

Judgment reserved.

5632. Petition of the residents of the Parish of "Les Cedres", Range St. Dominique, County of Soulanges, P.Q., for an Order directing the Canadian Pacific Railway Company to have one train stop at St. Dominique for the use of the travelling public. (File No. 25862.)

Struck off the list.

5633. Complaint of the Parish of St. Michel de Vaudreuil, P.Q., that the Canadian Pacific Railway Company have closed the crossing at Ile Cadieux by means of gates, and application for an order directing the Canadian Pacific Railway Company to re-open same. (File No. 24747).

Order made that the applicant construct and maintain at its own expense highway crossing over the tracks of the Canadian Pacific Railway Company at the point in question; the switch-stand to be moved back 30 feet and the cost of such removal, not exceeding $200, to be paid by the applicant. See Order No. 24278.

5634. Application of the Parish of St. Placide and the Parish of St. Benoit, County of Two Mountains, P.Q., for an Order directing the Canadian Northern Ontario Railway Company to erect a station at Cote Double, near St. Placide, P.Q. (File No. 25625.)

Struck off the list.

5635. Application of the Citizens of St. Alexis, Que., for an Order directing the Canadian Northern Quebec Railway Company to erect a station at that point. (File No. 25877.)

Judgment reserved. Matter referred to the Board's Operating Department for report.

5636. Petition of the citizens of the Parish of St. Hermas, P.Q., against the location of the station of the Canadian Northern Ontario Railway Company at that point as approved by Order of the Board No. 15556, dated December 2, 1911. (File No. 18710.)

Board decided that the station approved by its Order No. 15556, dated December 2, 1911, should stand.

5637. Application of the Corporation of the Village of Rock Island, P.Q., for an Order directing the Boston and Maine Railroad Company to construct a public crossing at or near the passenger station at Rock Island, P.Q. (File No. 23137.)

Order made authorizing the corporation of the Village of Rock Island to construct and maintain a highway crossing over the tracks of the Boston and Maine Railway at the point in question; the applicant to open up a public highway from Morel and Tilson streets making a 40-foot roadway. See Order No. 24267.

5638. Complaint of Bird & Son, East Walpole, Mass., that the Canadian Pacific Railway Company refuse to furnish gondola cars for the carriage of coal, Quebec to Pont Rouge and Application for reduced rate when coal is loaded in box cars. (File No. 25880.)

Struck off the list.

5639. Application of the Bell Telephone Company of Canada for leave to fix an extra mileage charge for the Montreal Exchange territory at the rate of $3 per station for each quarter mile or fraction thereof, in the case of two-party lines, and at the rate of $2 per station for each quarter mile or fraction thereof in the case of four-party lines. (File Nos. 3574.113 and 3574.115.)

Judgment reserved. Matter referred to the Board's Chief Traffic Officer for report.

5640. Complaint of N. J. Epstein, of Montreal, P.Q., relative to service of the Bell Telephone Company in the City of Montreal, P.Q., and against treatment received from them in connection with account for long distance calls. (File No. 3574.134.)

Order made dismissing the complaint. See Order No. 24239.

5641. Complaint of Webster & Sons, Limited, Montreal, P.Q., that the Canadian Northern Railway Company demand payment to them of full freight charges on shipments from Longue Pointe to Montreal Junction, P.Q. (File No. 26031.)

Judgment reserved.

5642. Complaint of H. Victor Brayley, of Montreal, P.Q., respecting the shipping facilities at Rougemont, P.Q., on the line of the Central Vermont and Montreal and Southern Counties Railway. (File No. 26196.)

No action necessary, the matter having been settled.

5643. Application of the Canadian Pacific Railway Company for an Order directing the Montreal Light, Heat and Power Company to assume the cost of changes in the power line crossing incidental to the construction of Decary avenue subway, Montreal, authorized by Order of the Board No. 16102, dated March 4, 1912. (File No. 9437.112.)

Order made dismissing the application. See Order No. 24963.

5644. *Re* Grand Trunk Pacific Railway spur connection for Government Elevator, Moosejaw, Sask.

(Note.)—The railways are required to show cause why the provisions of Order No. 24080 should not be forthwith complied with. (File No. 6713.68.)

Order made directing the Grand Trunk Pacific Railway Company to construct interchange tracks between its spur to the Government Elevator and the Outlook Branch of the Canadian Pacific Railway Company at Moosejaw, Sask. See Order 24797.

5645. Application of the Town of St. Lamberts, P.Q., for an Order directing the Montreal & Southern Counties Railway:—

(*a*) To level the rails of its lines upon St. Denis, Elm, Victoria, Desaulniers, Bird, Front and Edison Streets, in the Town of St. Lamberts, P.Q.;

(*b*) To place rails and lines upon permanent foundations;

(*c*) To pave between the tracks and upon the sides thereof on St. Denis, Elm, Victoria, Desaulniers, Bird, Front and Edison Streets, in said Town of St. Lamberts, P.Q. (File No. 26337.)

See Judgment of the Chief Commissioner dated the 19th October, 1915, Appendix "C."

5646. Application of the Chambre de Commerce du District de Montreal for an Order requiring all railways to do away with all level crossings, particularly those of the Grand Trunk Railway Company in the City of Montreal, P.Q. (File No. 9437.-319.)

Judgment reserved.

5647. Application of the City of Montreal, P.Q., under Sections 29-52 and amendments thereto to vary in part the judgment of the Board made on the 18th of June, 1912, in connection with the application of the Chambre de Commerce of the City of Montreal to do away with all level crossings in the City of Montreal and particularly the level crossings along the right of way of the Grand Trunk Railway Company within the City of Montreal, P.Q. (File No. 24218.)

Judgment reserved. Board's Chief Engineer to check over the estimates.

5648. Application of the City of Montreal, P.Q., to have the Town of Verdun, in the City of Westmount and the Montreal Tramways Company made parties to the application of the Chambre de Commerce and that they be ordered to bear a portion of the cost of the track elevation of the Grand Trunk Railway Company's tracks in the City of Montreal, P.Q. (Adjourned Hearing.) (File No. 24218.1.)

Judgment reserved. Board's Chief Engineer to check over the estimates.

5649. Application of the City of Montreal, P.Q., for an Order making the Central Vermont Railway Company and the Delaware & Hudson Railway Company parties to the application of the Chambre de Commerce of the District of Montreal, to abolish all railway level crossings along the right of way of the Grand Trunk Railway Company within the limits of the City of Montreal, P.Q. (File No. 24218.2.)

Judgment reserved. Board's Chief Engineer to check over the estimates.

5650. Application of the Municipal Council of the County of Pontiac, P.Q., for an Order directing the Canadian Pacific Railway Company to make a safe crossing at the point where the Canadian Pacific Railway crosses the Bristol-Clarendon Town Line. (File No. 25189.)

Order made granting the application. Work to be done at the expense of the applicant. See Order No. 24639.

5651. Application of the Municipality of the Village of Papineauville, P.Q., for authority to open up a road which crosses the line of the Canadian Pacific Railway Company in that Municipality. (File No. 26014.)

Judgment reserved. Board to visit the locus.

5652. Complaint of the Village of Eganville, Ont., against the station and freight shed facilities furnished by the Grand Trunk Railway Company at that point. (File No. 26257.)

Matter stands upon the understanding that the Grand Trunk Railway Company will look after the facilities at Eganville.

5653. Complaint of Edward Herbert Armstrong, of the Township of Camden, Ont., against the refusal of the Campbellford, Lake Ontario and Western Railway Company to furnish him with a farm crossing on his farm in the Township of Camden, Ont. (File No. 3701.384.)

Order made directing the Railway Company to construct a farm crossing on the applicant's farm in the Township of Camden, the cost of such crossing, with the exception of the gates, to be borne and paid by the applicant; the work to be completed by the 29th October, 1915. See Order 24316.

5654. Complaint of P. A. Bradshaw, of Detler, Ont., against the refusal of the Bessemer & Barry's Bay Railway Company (Canada Iron Mines, Limited) Trenton, to fence its right of way from a point about one mile south of L'Amable Station on the Central Ontario Railway to Childs Mine. (File No. 9994.245.)

Referred to the Board's Engineer to investigate and report.

5655. Consideration of the matter of requiring further protection at the Canadian Northern Ontario Railway crossing at Front Street, Trenton, Ont., authorized by Order of the Board No. 11462, dated August 27, 1910. (File No. 3878.287.)

Order made amending Order No. 11462, dated August 27, 1910, by providing that the crossing of Front Street, Trenton, be protected by a day and night watchman, the wages of same to be paid by the Canadian Northern Railway Company.

5656. Complaint of the County of Hastings, Ont., against unprotected condition of a ditch constructed by the C. L. O. and W. Railway Company along County Road from a section house, Concession 3 along the side of road running east and west between Concessions 2 and 3, Township of Tyendinaga, Ont. (File No. 3701.380.)

No Order necessary, the railway company stating that tile had been ordered to be put in the drain and that they would restore the road to its former condition, the work to be commenced within a fortnight and completed within one month. If any dispute arises as to engineering features of the case and either party notifies the Board the Engineer will settle the dispute.

5657. Application of the City of Belleville, Ont., for an Order directing the Canadian Northern Ontario, Canadian Pacific and Grand Trunk Railway Companies to establish interswitching facilities between their respective railways in the City of Belleville, Ont., the said interswitching tracks to be located on the north side of Wharf Street. (File No. 6713.30.)

Judgment reserved.

5658. Application of the Municipal Council of the City of Belleville, Ont., the Board of Trade of Belleville, Ont., and the citizens of the City of Belleville, Ont., that the matter of providing subways at certain streets be considered at the sittings of the Board at Belleville, October 12, as a part of the interswitching proposition. (File No. 3878.569.)

Order made that the Canadian Pacific Railway and Canadian Northern Railway Companies arrange that a gateman set the switches and signals for all eastbound trains at Pinnacle Street, subject to the conditions set forth in the Order. See Order 24602.

5659. Application of the Grand Trunk Railway Company under Sections 222 and 237, for authority to construct a siding from a point on its railway west of Kingston City Station, thence extending in a southwesterly direction across William Street, across and along Ontario Street to the westerly boundary of West Street, in the said City of Kingston, Ont.

(Note.)—This matter is set down so that Order No. 23950, dated July 7, 1915, may be reconsidered. (File No. 22450.4.)

Order made amending Order No. 23950, dated July 7, 1915, by providing that the service on the said siding shall not be discontinued or the siding removed except under an order of the Board upon application, and after notice has been given by the City of Toronto; also that in lieu of payment of any damages the Canadian Locomotive Company is granted leave to connect with and use the said siding without contributing to the cost of construction thereof, but the company to pay its proportion of cost of maintenance and switching charges. See Order No. 24350.

5660. Application of Newell Healy, of St. Davids, Ont., for the special rate on fruit in baskets to apply to tomatoes in baskets. (File No. 1146.5.)

No Order necessary, the interested carriers agreeing to amend their commodity tariff naming a rate on fresh fruit in baskets, boxes and crates from St. Davids, Ont., to Toronto, Ont., so as to provide for the inclusion of tomatoes in baskets.

5661. Application of Philippe Remy, of Brantford, Ont., for an Order directing the Lake Erie and Northern Railway Company to pay him damages for injury to his property (on Lot 13, southwesterly side of Henry Avenue, Brantford, Ont.); occasioned by the construction of an embankment in front of said property on Henry Avenue, and upon which the railway is carried over said Henry Avenue, Brantford, Ont. (File No. 18034.83.)

See Judgment of Chief Commissioner, Appendix "C," directing that the applicant be paid the sum of $300 by the railway company.

5662. Application of Thomas Embury, of Jerseyville, Ont., for an Order directing the Toronto, Hamilton and Buffalo Railway Company to provide him with a farm crossing on his property on the east half of Lot 57, Concession 3, Township of Brantford, Ont. (Adjourned hearing.) (File No. 24985.)

Order made directing the Toronto, Hamilton and Buffalo Railway Company to provide and construct a farm crossing with gates on the applicant's property. See Order No. 24315.

5663. Application of the Corporation of the City of Hamilton, Ont., for an Order directing the Grand Trunk Railway Company and the Hamilton Street Railway Company to provide watchmen and gates at the intersection of King Street with the Port Dover Branch of the Northern and Northwestern Division of the Grand Trunk Railway, in the City of Hamilton, Ont., the cost of such protection to be borne by the said companies. (File No. 9437.609.)

Board decided that no Order would be made; the City of Hamilton to arrange with the Grand Trunk Railway to have the watchmen made policemen with power to regulate the traffic at the crossing.

5664. Application of the Corporation of the City of Hamilton, Ont., for an Order directing the Grand Trunk Railway Company to provide proper protection at the intersection of Main Street and Ferguson Avenue where the tracks of the company cross said Main Street, which is the original allowance for road between Second and Third Concessions of the Township of Barton, now in the City of Hamilton, Ont. (File No. 9437.608.)

Order made that the interlocker at the said crossing be operated by a day and night watchman appointed by the Grand Trunk Railway Company as agent for the Hamilton, Grimsby & Beamsville Electric Railway Company; the wages of the said watchman to be paid one third by the City of Hamilton, one-third by the Grand Trunk Railway Company and one-third by the Hamilton, Grimsby & Beamsville Electric Railway Company. See Order No. 24328.

5665. Complaint of the Municipality of the Township of Albion, Ont., relative to the alleged dangerous conditions existing at the crossing of the Canadian Pacific Railway Company in the Village of Mono Road, Ont. (File No. 9437.1252.)

Order made directing the Canadian Pacific Railway Company to install an automatic bell at the said crossing; work to be completed in the spring of 1916; 20 per cent of the cost of installing the said bell to be paid out of the Railway Grade Crossing Fund and the balance by the Railway Company. See Order No. 24324.

5666. Complaint of Arthur McDonald, of Terra Cotta, Ont., acting for the Farmers' Club, alleging inadequate accommodation for the handling of freight and passenger traffic at that point. (File No. 26178.)

No Order made, the Railway Company undertaking to put in a lamp for the late trains and to install a stove in the building and keep a fire in it during cold weather.

5667. In *re* protection at the crossing of the Grand Trunk Railway Company at Hurontario Street, Port Credit, Ont., and Order of the Board No. 19564, dated June 11, 1913.

(NOTE.—The Board will take up the question of the payment of the costs as between the Railway Company, the Township of Toronto, and the Village of Port Credit. (File No. 9437.178.)

Order made that Orders Nos. 10749, 16005 and 19564, dated respectively May 10, 1910, February 16, 1912, and June 11, 1913, be amended to provide that the 20 per cent required to be contributed by the Township of Toronto towards the expense of maintaining the watchman at said crossing be borne and paid one-half by the Township of Toronto and one-half by the Village of Port Credit. See Order No. 24338.

5668. Application of the Corporation of the Township of Southwold, Ont., for an Order directing the opening of a crossing on the public highway known as John Street, in the Police Village of Shedden, Ont., over the tracks of the Michigan Central Railroad Company. (File No. 25954.)

Order made directing the Michigan Central Railroad Company to construct a proper approach to the station at Shedden, Ont.; plans to be filed by the 16th November, 1915, with the Board. See Order No. 24321.

5669. Consideration of the matter of protection at the crossing of the Grand Trunk Railway Company immediately west of Lorne Park Station, Hamilton Division, Ont. (File No. 9437.1094.)

Order made directing the Grand Trunk Railway to install gates at the said crossing to be operated by day and night watchmen; detail plans to be filed by the 19th day of November, 1915; 20 per cent of the cost of installing to be paid out of the Railway Grand Crossing Fund; 60 per cent to be paid by the Railway Company; and 20 per cent by the Township of Toronto; 75 per cent of the cost of maintenance to be paid by the Railway Company and 25 per cent by the Township of Toronto. See Order No. 24343.

5670. Consideration of the matter of protection at the crossing of the Grand Trunk Railway Company over the Kingston Road, near West Hill, in the Township of Scarboro, Ont. (Adjourned hearing.) (File No. 9437.1202.)

Application struck off the list.

5671. Application of Michael Griffin, of Whitby, Ont., under Section 235 for an Order directing that the Toronto Eastern Railway Company pay damages to him for injury to his property known as Lots 243, 244, 245 and 246 on the north side of Mary Street, Whitby, Ont., being a subdivision of part of Block 26, Second Concession of the Town of Whitby, Ont. (File No. 15881.64.)

Order made dismissing the application. See Order No. 24904.

5672. Application of the Canadian Northern Railway Company, under Section 237, for authority to construct a siding across the public road between Lot 35, Concession 3, Township of Markham, and Lot 1, Concession 3, Township of Whitchurch, Ont. (File No. 22370.135.)

Order made that the Canadian Northern Railway Company construct the siding across the public road as applied for. See Order No. 24331.

5673. Application of the Canadian Pacific Railway Company, for approval of the revised location of station at Waterford, Ontario, on the Lake Erie and Northern Railway. (File No. 18034.92.)

Order made granting the application subject to the Applicant Company's providing a safe road access to the station and erecting a substantial fence. Order No. 24024, dated July 23, 1915, rescinded in part. See Order 24630.

5674. Application of the Corporation of the City of Toronto, Ontario, for an Order amending Order No. 7813, respecting construction of a high level bridge over the Don Improvement and the tracks of the Canadian Pacific Railway Company, the Grand Trunk Railway Company, and the Canadian Northern Ontario Railway Company, at Queen Street East, in the City of Toronto, Ontario. (File No. 1621 Part 2.)

Order made directing the Canadian Pacific Railway, Grand Trunk Railway, and Canadian Northern Ontario Railway Companies to pay to the City of Toronto their proportions of the expense incurred to date on the work of the high level bridge over the Don Improvement, as required by Order of the Board No. 7813, dated July 3, 1909. See Order 24347.

5675. Application of the City of Toronto, Ontario, under Sections 235 and 237, for leave to construct a foot subway at Ashdale Ave., under the tracks of the Grand Trunk Railway Company of Canada and for approval of plan submitted. (File No. 26214.)

Order made authorizing the City of Toronto at its own expense to construct and maintain a foot subway at Ashdale Ave. under the tracks of the Grand Trunk Railway Company, the said subway to provide for the laying of five tracks. See Order No. 24349.

5676. Complaint of E. C. Frazer, Mountain, Ontario, J. C. Tinkess, Hallville, Ontario, and others against the changes in connection from Kemptville to South Mountain Exchange by the Bell Telephone Company. (File No. 3574.103.)

See Judgment of Commissioner S. J. McLean, Appendix "C," that the Board has no jurisdiction to deal with the matter involved, and, therefore, no further action can be taken.

5677. Complaint of the Spanish River Pulp and Paper Mills, of Sault Ste. Marie, Ont., that the Canadian Pacific Railway Company refuse to apply the Sault Ste. Marie-Michigan commodity rate of 25 cents per 100 pounds on machinery from Massachusetts points to Espanola, Ontario. (File No. 26207 and File No. 26207.1.)

Order made that the Canadian Pacific Railway Company refund to the complainant the sum of $333.84 being the amount overcharged on the shipments in question. See Order No. 24641.

5678. Application of Milk Shippers for a reconsideration of the Order requiring shippers to supply a man to assist in unloading empty milk cans, and the question of general handling of the same.

NOTE.—Railway companies will be required to show cause why a General Order should not issue fixing the minimum number of milk cans requisite, or minimum carload rate necessary in order to entitle a shipping station to a separate car. (File No. 16939.1.)

Order made refusing the application. See Order No. 24586.

5679. Complaint of the United Fruit Growers, the Nova Scotia Fruit Growers, and the King's County Board of Trade against the advanced rates on apples and potatoes to Halifax for export, as published in the Dominion Atlantic Railway Company's Tariff, C.R.C. No. 454 and C.R.C. No. 455, respectively, to become effective October 25, 1915. (File No. 26388.)

Order made directing that Order No. 24313 be rescinded and that the tariffs of the Dominion Atlantic Railway Company C.R.C. No. 454 and the C.R.C. No. 455, become effective on December 10, 1915. See Order No. 24489.

5680. Application of the Corporation of the City of Ottawa, Ontario, under section 250, for an Order permitting the said corporation to construct and maintain a double line of 51-inch steel water pipe through, across and under the Broad Street Yard of the Canadian Pacific Railway Company, in the City of Ottawa, Ontario. (File No. 26407.)

Order made refusing the application. See Order No. 24437.

5681. Complaint of receiver of "Lucky Jim" Mining Company against the Canadian Pacific Railway Company's switching charge of $2 per ton on ore. (File No. 22370.84.)

Stands awaiting effort of the parties to reach a satisfactory arrangement.

5682. Application of Mr. Isaie Belair for an Order directing the Canadian Northern Railway Company to erect a station on its line at St. Eustache, P.Q., at a point on "Range du Lac" Road. (File No. 26331.)

Application dismissed.

5683. Application of the Imperial Oil Company, Limited, under Section 321, for an Order directing the Canadian Pacific Railway Company to reduce its freight rates on petroleum and petroleum products in carload lots, from the City of Vancouver, B.C., east to Alberta points. (File No. 25727.)

No action taken. Application withdrawn.

5684. Application of the City of Brandon, Manitoba, for an Order permitting the Brandon Electric Light Company and the owners of other warehouses, situated between the Electric Light Company's plant and Princess avenue, to unload cars from the spur line of the Canadian Northern Railway Company, on the lane between Lorne and Princess avenues.

(Note).—The parties will speak to the settlement of an agreement to be entered into by the parties interested. (File No. 16119.)

Matter stands to enable the parties to complete the agreement submitted to the Board.

5685. Complaint of the Brandon Board of Trade against the rate charged on green hides, carloads, Brandon to St. Paul and Minneapolis. (File No. 26095.)

Board directed that the Great Northern Railway Company should put into effect the reduced Brandon rate.

5686. Application of the Town of Virden, Manitoba, for an Order requiring the Canadian Pacific Railway Company to construct a bridge over the company's tracks at a convenient spot in said Town of Virden, in order to lessen the danger to school children and pedestrians who have to cross the tracks. (File No. 21921.)

Judgment reserved, Board to visit the locus.

5687. Complaint of the Municipality of Tache, Manitoba, relative to the train service at Lorette and Dufresne, Manitoba, on the line of the Canadian Northern Railway Company (Rainy River Subdivision). (File No. 25347.)

Case struck off the list as no further action necessary.

5688. Application of the Town of Hanna, Alberta, for an Order directing the Canadian Northern Railway Company to construct proper grading at point where "Y" crosses Second avenue, Hanna, Alberta. (Adjourned hearing). (File No. 25643.)

Case struck off the list to be re-instated at the request of the applicants at any time.

5689. Application of Summit Lime and Cooperage Works, of Lethbridge, Alberta, for the privilege of shipping lime in mixed carloads with lumber, brick, etc. (File 26029.)

Case struck off the list to be reinstated at the request of the applicants at any time.

5690. Application of the Riverside Lumber Company, of Calgary, Alberta, for the addition of common lumber, at ratings L. C. L. 4th, C. L. 10th class, to the building material list at page 112 of the Canadian Freight Classification No. 16, in connection with Rule 2 (c) page 47, so as to provide for the shipment of lumber with building material so listed, at 10th class rates in mixed carloads between points west of Port Arthur, Ontario. (Adjourned hearing.) (File No. 19367.40.)

Case struck off the list to be reinstated at the request of the applicants at any time.

5691. Consideration of the question of conditions governing shipments of perishable commodities in heated cars in winter, and in *re* Order of the Board No. 24459, dated November 20, 1915. (File No. 23540.)

See judgment of Assistant Chief Commissioner Scott, Appendix "C."

5692. Complaint of W. J. Bell, Sudbury, Ontario, against train service of the Canadian Northern Ontario Railway from Sudbury to Thor Lake, Ont. (File No. 26346.)

Stands adjourned pending adjustment between the parties.

5693. Complaint of the Canadian Manufacturers' Association on behalf of the Page-Hersey Iron Tube and Lead Co., Ltd., against the proposed increase in the rate of wrought iron pipe from Welland, Ontario, to the Atlantic seaboard, for export. (File No. 26527.)

Board decided no action necessary.

5694. Complaint of W. J. Bell, Sudbury, Ontario, against train service of the Canadian Northern Ontario Railway from Sudbury to Thor Lake, Ont. (File No. 26346.)

Matter stands to enable the parties to reach an adjustment.

5695. Application of the Electrical Commission of Montreal for approval of plans and specifications respecting Sections 6 and 7 of the Conduit System of the City of Montreal. (File No. 26460.)

Judgment reserved. Board's Electrical Engineer to report in the matter.

5696. Application of the Corporation of the Village of Ormstown, P.Q., for an Order directing the Grand Trunk Railway Company to place an electric bell or some means of warning at alleged dangerous crossing in the Village of Ormstown, P.Q. (File No. 9437.1327.)

Referred to the Board's Chief Operating Officer for investigation and report.

5697. Application of the Municipal Council of the Town of Coaticook, P.Q., for an Order directing the widening of the viaduct under the tracks of the Grand Trunk Railway Company on Main Street, Coaticook, P.Q. (File 9437.1294.)

Stands adjourned to be brought on at the request of the parties.

5698. Complaint of the Municipal Association of LaSalle, P.Q., relative to the train service of the Canadian Pacific Railway Company and the New York Central Railroad Company to and from Highlands, Que., and Montreal, Que. (File No. 19855.23.)

Judgment reserved. Board's Chief Traffic Officer to make a report.

5699. Application of the Parish of St. Placide and the Parish of St. Benoit, County of Two Mountains, P.Q., for an Order directing the Canadian Northern Ontario Railway Company to erect a station at Cote Double, near St. Placide, P.Q. (File No. 25625.)

Order made granting leave to the applicants at their own expense to construct a shelter and platform on the C.N.R. at Cote Double. See Order No. 24613.

5700. Petition of the citizens of the Parishes of St. Eustache, St. Joseph du Lac and St. Dorothe, P.Q., for an Order directing the Cnadian Pacific Railway Company to construct a siding for the unloading of manure on the property of Mr. J. H. Theoret, Parish of St. Eustache, P.Q. (Adjourned hearing). (File No. 22370.127.)

Order made directing the Canadian Pacific Railway Company to construct a siding on the property of J. H. Theoret, in the Parish of St. Eustache, upon the terms set out in the Order. See Order 24607.

5701. Complaint of the Town of Iberville, P.Q., respecting the train service of the Central Vermont Railway Company and the Grand Trunk Railway Company at that point. (File No. 26323.)

See Judgment of Chief Commissioner, Appendix "C", deciding that under the circumstances the Board could make no Order.

5702. Application of the Corporation of the Town of Richmond, Que., for an Order directing the Grand Trunk Railway Company, the Bell Telephone Company and the Great Northwestern Telegraph Company to remove or re-arrange their poles in such a way as to allow free and easy access to the Grand Trunk Railway Company's station from Main Street, Richmond, P.Q. (File No. 26280.)

Board directed that an Order should go pursuant to its direction but not to issue for one week to enable the Bell Telephone Company to file evidence, if any, as to consent of the Municipality to the poles complained of being placed on the street.

5703. Application of the Parish of Vaudreuil, Que., for an Order directing the construction of a subway under the Grand Trunk Railway at what is known as Double Road or French Road, West of Vaudreuil, Que. (This road is called Double Hill, French Hill, Petite Cote de Vaudreuil, St. Michel Road, St. Antoine Road, etc.) (Adjourned hearing). (File No. 9437.1190.)

Matter referred to the Board's Operating Officer for report.

5704. Application of L'Union Co-operative des Laitiers de Montreal, Que., under Section 317, for an Order directing all railway companies with railway lines and trains running into Montreal:—

1. To change the hours of the arrival of their milk trains from that of the morning to the evening.

2. To furnish refrigerator Cars for the transportation of milk to Montreal in the evening.

3. To run milk-trains to Montreal on Sundays as well as on the week days. (File No. 16939.7.)

Case struck off the list.

5705. Complaint of the West India Company, Limited, Montreal, P.Q., against the rates charged by the Grand Trunk Railway Company on eleven cars of Bran, Toronto, to St. Johns, N.F. (File No. 26387.)

Stands; the Railway Company to furnish the Board with the information as to how many cars were ordered, how many the Company was short, and what the dmand on its rolling stock was, and the general movement.

5706. Application of the Chambre de Commerce of the City of Montreal for an Order directing the Grand Trunk Railway Company to do away with all grade crossings along its right of way within the limits of the City of Montreal, P.Q., and

Application of the City of Montreal for a re-opening of the hearing on the above application in order that the City may submit reasons and arguments to show that there is nothing to prevent the Grand Trunk Railway Company from securing the necessary monies to finance the cost of elevating its tracks within the limits of the City of Montreal, P.Q. (File No. 9437.319.)

Judgment reserved.

5707. Application of the Lachine, Jacques Cartier & Maisonneuve Railway Company, under Sections 151 and 237, for authority to divert Lumsden and Morrison Avenues, St. George, St. Famille, St. Urbain and St. Charles Borrome Streets, and lanes located from Park Avenue No. 2 to east of St. Lawrence Boulevard, all said streets and lanes located on the northwest side of the proposed right-of-way of the Lachine, Jacques Cartier & Maisonneuve Railway Company, and for the approval of the street crossings and street profiles between St. Lawrence Boulevard and Park Avenue as follows: St. Lawrence Boulevard, St. Charles Borrome Street, St. Urbain Street, St. Famille Street, St. George Street, Morrison Avenue, Lumsden Avenue, MacPherson Avenue, Mance Street, Park Avenue, Park Avenue No. 2, in the City of Montreal, P.Q. (File No. 14329.24.)

Order made authorizing the applicant company to divert the streets in question into a proposed new street on the north side of the applicant's proposed right of way. Authority given by the Order to be exercised by the 31st December, 1917, otherwise the Order will become in-operative. See Order 24765.

5708. Complaint of Phillibert Larose alleging lack of supplies for the cleaning, lighting, and heating of the Canadian Northern Quebec Railway Company's station at Larose, P.Q., and application of the Canadian Northern Quebec Railway Company for an Order rescinding Order of the Board No. 17922, dated November 4, 1912, which requires the railway company to provide a flag station for passenger purposes only at Larose Station, P.Q. (File No. 19979.)

Order made authorizing the Canadian Northern Quebec Railway Company to close Larose Station during the winter season as a flag station for passenger trains. Station to be opened from the 1st May up to and including the last day of October in each year. See Order 24739.

5709. Application of the W. A. Jenkins Manufacturing Company, of London, Ont., for application of special grain product rates on shipments of "calf meal" from London, Ont. (File No. 19367.57.)

Struck off the list, matter having been arranged to the satisfaction of the parties.

5710. Complaint of the Canadian Press Association et al, against the proposed increases in the rates on news-print paper from the mills in eastern Canada to various destinations in eastern Canada. (File No. 25547.2.)

Judgment reserved.

5711. The Canadian Pacific Railway Company will be required to justify their practice of making a charge of $3 for changing destination when both the old and new destination is in the same group of terminals. (File No. 25957.)

Order made dismissing the complaint. See Order No. 24714.

5712. Application of the Canadian Northern Railway Company for an Order amending Order of the Board No. 24462, dated the 19th of November, 1915, relative to ticket office on train floor, Union Station, Toronto, Ont., by providing that the basis of expense for ticket offices be provided either on the basis of tickets sold or on the amount of ticket sales. (File No. 588.32.)

Order made rescinding the operative part of Order No. 24462, dated November 19, 1915, and substituting therefor a new clause. See Order 24706.

5713. Application of the Canadian Northern Railway Company, under Section 317, or 334, for an Order directing the Grand Trunk Railway Company to interchange freight traffic with the Canadian Northern Railway Company at North Bay on an equality with the Canadian Pacific Railway Company. (File No. 26592.)

See Judgment of Chief Commissioner, Appendix "C."

5714. Application of the Corporation of the County of Renfrew, Ont., for a crossing at grade at the new Graham's Bridge, in the Township of Westmeath, and for an Order directing the Canadian Pacific Railway Company to build and maintain that portion of said new bridge which would be upon its right of way. (File No. 9437.661.)

Judgment reserved. Referred to the Board's Chief Engineer for inspection and report.

5715. Complaints of the Corporation of the Town of Pembroke, Ont., and the residents of Townships of Rolph, Wylie and Buchanan, Ont., relative to the train service of the Canadian Pacific Railway Company east and west of Pembroke and between North Bay and Ottawa. (File No. 26563.)

Judgment reserved. Matter referred to the Board's Chief Operating Officer to report on.

5716. Application of the Montreal & Ottawa Railway Company under Sections 222 and 237, for authority to construct a spur for the Rigaud Granite Company, in the Village of Rigaud, Que., from a point on the Applicant Company's Main Line, Ottawa to Montreal in Lot 120, of the said Village of Rigaud, thence across Lots 120, 119, 111, 110 and 109, thence across a highway and Lot 108 into the premises of said Rigoud Granite Company in the Village of Rigaud aforesaid. (File No. 23947.1.)

Order made authorizing the construction of the spur in question. See Order No. 24804.

5717. Application of the Canadian Northern Ontario Railway Company, under Section 237, for authority to cross Russell Road with proposed connection track between the Canadian Northern Ontario Railway and the Grand Trunk Railway, in Lot 11, Township of Gloucester, Ont. (File No. 3878.584.)

Order made authorizing the Canadian Northern Railway Company to cross Russell Road, the question of diversion and protection of the highway reserved for further consideration. See Order 24898.

5718. Application of the Canadian Northern Ontario Railway Company, under Section 237, for approval of public road crossing in Lot 2, Concession Junction Gore, Township of Gloucester, Ont., by proposed connecting track between the Grand Trunk and Canadian Northern Ontario Railways. File No. 3878.585.)

Heard at Ottawa sittings February 8, 1916. Order made authorizing the connection between the Grand Trunk Railway Company's line and that of the applicant company. See Order No. 24891.

5719. Application of the Canadian Northern Ontario Railway Company, under Section 227, for authority to connect the tracks of the Canadian Northern Ontario Railway Company Montreal-Ottawa Line with the tracks of the Grand Trunk Railway Company near Ottawa, North of the Grand Trunk Railway Main Line. (File No. 3878.575.)

Heard at Ottawa sittings February 8, 1916.

Order made authorizing the connection between the tracks of the Montreal-Ottawa line and the tracks of the Grand Trunk Railway Company. See Order 24888.

5720. Consideration of the extra charges proposed by the carriers for heated refrigerator car services in eastern Canada, as covered by the special tariffs suspended by the Order of the Board No. 24680 of the 27th January, 1916. (File No. 18855-11.)

Judgment reserved.

5721. In the matter of the notice given to the Canadian Northern Railway Company by the Grand Trunk Railway Company and the Canadian Pacific Railway Company declining to accept shipments of explosives from the Canadian Northern Railway Compnay. (File No. 1717.13.)

See Judgment of Assistant Chief Commissioner, Appendix "C."

5722. The Canadian Northern Railway Company to show cause why its special Proportionate Freight Tariff C.R.C. No. E-732, effective January 18, 1916, applicable from Toronto to Regina on tank and still structural material ex Sarnia should not be disallowed as being in contravention of the "equality" and "joint traffic" provisions of the Railway Act. (File No. 26686-1.)

Order made dismissing the application. See Order No. 24750.

5723. Application of the Imperial Oil Company, Limited, for an Order under Section 334 of the Railway Act, and other sections applicable, requiring the Pere Marquette, Canadian Pacific and Canadian Northern Railway Companies, also the Grand Trunk and Canadian Northern Railway Companies to agree upon and file a joint tariff on tank and still structural material, in carloads, at 75 cents per 100 lbs. from Sarnia, Ont., to Regina, Sask. (File No. 26686.)

Order dismissing the application. See Order No. 24750.

5724. Consideration of the amended rules and regulations proposed by the railway companies for the transportation of explosives. (File No. 1717.)

Judgment reserved.

5725. Consideration of the rules and regulations proposed by the railway companies for the transportation of dangerous articles other than explosives. (File No. 1717.1.)

Judgment reserved.

5726. In the matter of the complaint of the Municipal Council of the County of Hastings, et al, regarding inefficient train service on the Trenton to Maynooth portion of the Central Ontario Railway Branch of the Canadian Northern Ontario Railway Company, and in the matter of the application of the said Municipal Council for a better mail and passenger service between Trenton and Maynooth. (File No. 25481.)

Board directed that an Order go for the extension of mixed train service three days a week. Board's Chief Operator to investigate the freight figures of the Railway Company to see if anything more can be done for the complainants.

5727. Application of the residents in the neighbourhood of Martin's Siding, Ont., and the Muskoka Wood Manufacturing Company, Limited, of Huntsville, Ont., for a flag station at Martin's Siding, about five miles south of Huntsville, Ont., on the line of the Grand Trunk Railway Company. (File No. 25983.)

Order made that the Grand Trunk Railway Company stop trains Nos. 41 and 44 on flag at Martin's Siding. The applicants to provide the necessary shelter and platform. See Order No. 24760.

5728. Application of the Grand Trunk Railway Company for re-consideration of Order of the Board No. 24217, dated September 25, 1915, in re-crossing of Ridge Road (known as Watt's Crossing) in the Township of Oro, Ont., by the Grand Trunk Railway Company. (File 25652.)

Order made that when required by traffic conditions a grade of 10 per cent be provided on the approach to the Concession Road in the Township of Oro; that the Ridge Road be widened to 50 feet. For other conditions see Order No. 24773. Order No. 24217, dated September 25, 1915, rescinded.

5729. Application of the Corporation of the City of Hamilton, Ont., that Order No. 24614, dated December 28, 1915, which directs that thirty per cent of the cost of constructing the new bridge carrying the line of King street over the tracks of the Toronto, Hamilton and Buffalo Railway Company be borne and paid by the City of Hamilton and seventy per cent by the Toronto, Hamilton and Buffalo Railway Company, be amended by re-apportioning the cost so as to reduce the amount payable by the City and directing the Hamilton Street Railway Company to share in the cost thereof. (File No. 24499.)

Order made dismissing the applications but directing that detail plans of the proposed bridge to be constructed under Order No. 24614 be filed by the Toronto, Hamilton and Buffalo Railway Company within three weeks from the date of the Order. See Order No. 24761.

5730. Application of the Toronto, Hamilton and Buffalo Railway Company for a rehearing of the application of the City of Hamilton, Ont., for the construction of a new highway bridge on King street, in the City of Hamilton, over the tracks of the Toronto, Hamilton and Buffalo Railway Company and Canadian Pacific Railway Company, upon the ground that the cost of the work as provided by Order of the Board No. 24614, dated December 28, 1915, should be re-apportioned, the amount payable by the Toronto, Hamilton and Buffalo Railway Company reduced and the Hamilton Street Railway Company ordered to pay a fair proportion of the cost, having regard to the fact that the Hamilton Street Railway Company is the junior company and that the bridge is to be constructed for its benefit. (File No. 24499.)

Order made dismissing the applications and directing that detail plans of the proposed bridge to be constructed under Order No. 24614 be filed by the Railway Company within three weeks from the date of the Order. See Order No. 24761.

5731. In the matter of protection to be provided at the Ancaster Road crossing and the distribution of costs thereof, and in the matter of the application of the Toronto, Hamilton and Buffalo Railway Company to allow the watchmen of the said crossing to be away on Sundays except during such time as they may be required to take care of the flagging of trains over this crossing. (File No. 9437.628.)

Order made directing the railway company to improve the view at the crossing as directed in the Order; work to be completed by the 1st of July, 1916, company relieved from maintaining a watchman at the crossing on Sundays provided that the movement of any trains over the crossing is flagged. See Order No. 24762.

5732. Application of the Municipal Council of the Township of Lancaster, Ont., for a public crossing over the tracks of the Toronto, Hamilton and Buffalo Railway Company on Leland street, West Hamilton, Township of Ancaster, Ont. (File No. 23195.)

Order made granting the application. Cost of constructing and maintaining the highway to be paid by the applicant. See Order 24822.

5733. Application of the Corporation of the Town of Burlington, Ontario, for an Order directing that an electric warning bell be placed at the point where the Grand Trunk Railway crosses Ontario street in the vicinity of Brant avenue, Burlington, Ontario. (File No. 9437.1322).

Order made directing the Grand Trunk Railway Company to install by June 1, 1916, an automatic bell. Twenty per cent of the cost of installing to be paid out of

the Railway Grade Crossing Fund and the remainder by the railway company. See Order No. 24755.

5734. Application of the Toronto and Hamilton Highway Commission, under section 237, for leave to construct and maintain a highway across the right of way of the Grand Trunk Railway Company Northern and Northwestern Division in the Town of Burlington, Ontario, and across the track of the Hamilton Radial Electric Railway Company where the said track is laid along Maple avenue, Burlington, and for an Order closing the crossing over the said tracks of the Grand Trunk Railway Company and the Hamilton Radial Electric Railway Company at Water street near the proposed crossing, as shown on plan submitted with original application dated December 6, 1915. (File No. 26552.)

Order made granting the application.

5735. In the matter of alleged dangerous condition of King street crossing, Berlin, Ontario, by reason of certain trees shutting off the view of approaching trains. Grand Trunk Railway. (File No. 9437·124.)

Order made directing that the city of Berlin be required to trim and keep trimmed from time to time, the trees obstructing the view at King street crossing See Order No. 24764.

5736. Application of Noecker Brothers, of Drayton, Ontario, for an Order directing the Grand Trunk Railway Company to install spur or siding facilities to serve the applicants' properties at Drayton, Ontario. (File No. 26440.)

Referred to the Board's Chief Engineer to investigate the question of cost and report to the Board, and if necessary the Board will issue an Order under Section 226 of the Railway Act.

5737. Application of the Municipality of the Township of Etobicoke, Ontario, for an Order requiring the Grand Trunk Railway Company to construct an overhead bridge over its line of railway at a point where same crosses road in Lot 25, Concession A., Township of Etobicoke, Ont. (File No. 9437.1317.)

Order made directing the Grand Trunk Railway Company to install improved type of automatic bell at said crossing by the 1st June, 1916. Twenty per cent of the cost of installing the bell to be paid out of the Railway Grade Crossing Fund and the remainder by the railway company. See Order No. 24754.

5738. Complaint of the Board of Trade of Mimico, Ontario, that the station location and facilities proposed to be supplied by the Grand Trunk Railway Company, under Order of the Board No. 24501, dated November 29, 1915, are totally inadequate and unsuitable for the requirements at that point. (File No. 24669.)

Order made granting the application at the expense of the railway Company. The railway company to install a gate on the east side of the crossing. See Order 22219.

5739. Consideration of the matter of protection at Ridout, Richmond, Waterloo, Colborne, Burwell, William, Maitland, Adelaide, Rectory, Egerton, and Clarence streets; where the said streets are crossed by the tracks of the Grand Trunk Railway Company; the Michigan Central Railroad Company and the London and Port Stanley Railway Company, in the city of London, Ontario. (File No. 9437.157.)

Order made directing the Grand Trunk Railway Company to install gates at the crossings of Waterloo and Colborne streets, in the City of London, to be operated day and night. Sixty per cent of the cost of installation to be borne and paid by the Railway; 20 per cent by the City of London, and 20 per cent out of the Railway Grade Crossing Fund. The protection of the other streets mentioned to be left for further consideration. The gates to be installed by August 31, 1916. See Order 25012.

5740. Consideration of the question of installing trolley guards on the London Street Railway Company's trolley wires at crossings, and of requiring the wires of the London and Port Stanley Railway Company to be insulated for such a distance at each side of the crossings as will prevent the possibility of electrical connection with a trolley pole of the London Street Railway Company. (File No. 26603.)

Judgment reserved, the London Street Railway Company to submit drawing of the proposed connections.

5741. Application of the London Railway Commission for authority to erect a siding aeross Bathurst street to supply the Hunt Milling Company, the Hydro transformer station, and the City Gas Company, the Hydro transformer station, and the City Gas Company, in the City of London, Ont. (File No. 25649.3.)

Order made subject to the report and inspection of the Board's Electrical Engineer.

5742. Application of the London Railway Commission for an interchange track between the London and Port Stanley Railway Company and the Grand Trunk Railway Company on Burwell street in the City of London, Ont. (File No. 25649-16.)

Order made granting the application.

5743. Consideration of the value of the Grand Trunk Railway Company's property to be taken and used by the London and Port Stanley Railway Company under the provisions of Order No. 23753, dated May 27, 1915. (File No. 25649.2.)

Order made authorizing the construction of the spur. See Order No. 24950.

5744. Application of the Department of Public Works of the Province of Ontario, Colonization Roads Branch, under Section 237, for an Order granting permission for the construction of a grade crossing over the right of way of the Grand Trunk Railway Company, Canada Atlantic Division, on Lot 9, Concession 6, Township of Airy, near Whitney Station, Ont. (File No. 26250.)

Order made dismissing the application. See Order No. 24763.

5745. Application of Quinlan & Robertson, Limited, Toronto, Ont., for approval of plans showing cableway and design of bridge for track protection over the Grand Trunk Railway Company's tracks in the Valley of the Don at the site of the Bloor street Viaduct, Toronto, Ont. (File No. 22967-1.)

Order made authorizing the applicants to erect and maintain a cableway and bridge for the protection of traffic over the Grand Trunk and Canadian Northern Railway tracks in accordance with the plan filed. For further conditions see Order No. 24780.

5746. Application of William Ellis, of Toronto, Ont., for a siding from the line of the Grannd Trunk Railway Company to his premises on St. Clair avenue, Toronto, Ont. (File No. 22333.35.)

Order made directing the Grand Trunk Railway Company to construct, maintain and operate a siding as applied for. See Order 24778.

5747. Application of the Canadian Northern Railway Company that the Grand Trunk Railway Company be directed to either restore the original main line route between the Don and Rosedale, or to change the crossovers, including frogs and switch targets, so that it will make a proper route for main line trains when normal main line indications are showing. (File No. 2606.)

Application withdrawn.

5748. Complaint of Mrs. Ella J. Wheler, of Toronto, Ont., that the Bell Telephone Company of Canada refuses to install a telephone instrument in her house. (File 26623.)

Order made directing the Bell Telephone Company to install a telephone instrument in the complainant's house and provide all reasonable and proper facilities for its use. See Order No. 24757.

5749. Complaint of the Citizens of Hagersville, Ont., against the action of the Great Northwestern Telegraph Company in closing its telegraph station in that town. (File No. 10041.55.)

Order made directing the Great North-Western Telegraph Company to forthwith install a telegraph apparatus in the Michigan Central Railway Company's station in the Town of Hagersville. See Order No. 24794.

5750. Application of the Municipality of the Town of Chesley, Ontario, for an Order directing the removal of the Bell Telephone Company's poles on Main street from the west side to the east side in order to avoid double crossing at the corner of Adolph and Main streets and to keep all the Bell Telephone Company's poles on one side of the street and the Town Hydro poles on the other side. (File No. 26638.)

Order made directing that the poles of the Bell Telephone Company on Main street in the Town of Chesley, be moved to the east side of the street, the work to be done by the Provincial Hydro Electric Commission at the cost of the applicant. See Order No. 24776 and amending Order 24787.

5751. Complaint of Albert Powers, Picton, Ont., against the rate of 40 cents charged by the Canadian Northern Express Company on fruit from Trenton to Picton, ex the Niagara district. (File No. 4314·391.)

Judgment reserved.

5752. Complaint of T. H. Taylor Company and the Canada Flour Mills Company, of Chatham, Ont., against the switching charge of two cents on grain milled at Chatham, Ont. (File No. 26181.)

Order made dismissing the complaint. See Order No. 24868.

5753. Application of the Canadian Tungsten Lamp Company, Limited, of Hamilton, Ont., for a revision of the classification of Tungsten Lamps. (File No. 19367.58.)

Judgment reserved.

5754. Complaint of the London & Port Stanley Railway Company against the cancellation of joint rates and divisions via Port Stanley on coal ex Bessemer and Lake Erie Railroad to Grand Trunk destinations, the said joint rates being shown in Bessemer and Lake Erie Railroad Tariff C.R.C. No. 162. (File No. 26693.)

Application refused. No Order necessary.

5755. Consideration of the extra charges proposed by the carriers for heated refrigerator car service in eastern Canada, as covered by the special tariff suspended by the Order of the Board No. 24680, of the 27th of January, 1916. (Rehearing on application of the Canadian Pacific Railway Company.) (File No. 18855.11.)

No Order necessary the Grand Trunk and Canadian Pacific Railway Companies having agreed to re-establish the L.C.L. arrangement without the necessity of an Order. The Canadian Pacific Railway Company have filed a new tariff C.R.C. No. E. 3118, and the Grand Trunk by Supplement No. 2 to the original suspended tariff; the new schedules taking effect February 28, 1916.

5756. Application of the Municipal Corporation of the Township of Lochiel, Ont., James D. McGillis and Mary McDonald, of the said township, under Sections 252 and 253, for an Order directing the Grand Trunk Railway Company to construct and maintain a suitable crossing or highway from the gateway of the property of the said Mary McDonald, S.W. Quarter Lot 6, Concession 2, Township of Lochiel, and extending along the northerly boundary of the Grand Trunk Railway Company's land to a point in Lot 7, Concession 2, Township of Lochiel, opposite Pitt street, in the Village of Glen Robertson and to connect said roadway with a proper highway crossing with Pitt street on the other side of the right of way, and to continue same to connect with Florence street, Glen Robertson, County of Glengarry, Ont., and to maintain said crossing for the use of the public. (File No. 26661.)

Order made granting the application. (See Order 24860.)

5757. Application of Joseph A. Barrett, of Ottawa, Ont., under Section 226, for an Order requiring the Canadian Pacific Railway Company to construct, maintain and operate a spur at mileage 0·65 on the Prescott Subdivision of said Railway Company, to serve the lands of the said Joseph A. Barrett, Coal and Wood Dealer. (File No. 26746.)

Order made authorizing the construction of the spur applied for; work to be completed by the 15th June, 1916. See Order 24951.

5758. Application of the Canadian Northern Railway Company that the Grand Trunk Railway Company be directed to either restore the original main line route between the Don and Rosedale, or to change the crossovers, including frogs and switch targets, so that it will make a proper route for main line trains when normal main line indications are showing. (File No. 26606.) Adjourned hearing.

Application withdrawn.

5759. Application of the Montreal Board of Trade for an Order disallowing the proposed increased rates on whole peas to eastern United States points as published and filed in the following schedules:—

Supplement 1 to Canadian Pacific Railway Company's C.R.C. No. E-2935.
Grand Trunk Railway Company.
Supplement No. 20 to C.R.C. No. E-1860.
" 21 " E-1861.
" 13 " E-1872.

(File No. 26741.)

Order made eliminating peas from the list of articles taking grain rates from stations in Canada to points in the Eastern United States, as provided in the schedules set forth in the Order, and suspending certain tariffs. See Order No. 24788.

5760. Application of Ivey & Company, of Port Dover, Ontario, for an Order directing the Grand Trunk Railway Company to construct a siding to serve the milling business of the Applicant Company at Port Dover, Ontario. (File No. 26749.)

Application refused. See Order No. 24830.

5761. Application of the residents of Arkwood, Ontario, for a better passenger train service at that point on the Chatham to London Branch of the Canadian Pacific Railway Company. (File No. 26629.)

No Order made as matter has been arranged between the parties.

5762. Complaint of the residents of Melrose, Ontario, against the passenger train service afforded by the Canadian Pacific Railway Company to London, Ontario. (File No. 26487.)

No Order made as matter has been arranged between the parties.

5763. Application of the London Railway Commission for authority to erect a siding across Bathurst street to supply the Hung Milling Company, the Hydro Transformer Station, and the City Gas Company, in the City of London, Ontario. (File No. 25649.3.)

Board directed that an Order should go in accordance with its direction. The matter referred to the Board's Electrical Engineer to make an inspection and report.

5764. Application of the Corporation of the City of London, Ontario, for an Order directing the London Street Railway Company to lay and maintain a double track across the tracks of the Grand Trunk Railway Company at Richmond street, in the City of London, Ontario. (File No. 7264.)

Order made directing the Grand Trunk Railway Company to install gates at the crossings of Waterloo and Colborne streets, in the City of London, to be operated day and night. Sixty per cent of the cost of installation to be borne and paid by the Railway Company; 20 per cent by the City of London, and 20 per cent out of the Railway Grade Crossing Fund. The protection of the other streets mentioned to be left for further consideration. The gates to be installed by August 31, 1916. See Order 25012.

5765. Application of the London Railway Commission to compel the Grand Trunk Railway Company of Canada to receive and switch cars being handled by the London and Port Stanley Railway Company to and from London yards, as provided in the agreement between the Great Western Railway Company and the London & Port Stanley Railway Company, bearing date 25th April, 1870. (File 25649.14.)

Stands. No action taken at present by the Board.

5766. Application of the W. A. Jenkins Manufacturing Company, of London, Ont., for application of special grain product rates on shipments of "calf meal" from London, Ontario. (File No. 19367.57.)

Case struck off the list, matter having been arranged between the parties.

5767. Complaint of Alex. Pollard, of London, Ontario, that the railways do not allow five days free time for passing customs, ordering and unloading cars of coal. (File No. 1700.112.)

Application withdrawn.

5768. Application of Morgans Supply House, London, Ontario, regarding corrugated containers for the shipment, by express, of poultry, eggs and day-old chicks.

(This matter is set down for hearing in London to enable the Morgans Supply House to make its representations.) (File No. 4397.27.)

Matter stands to be covered by the Supplement to the Express Classification.

5769. Complaint of the London and Lake Erie Railway and Transportation Company that the Michigan Central Railroad Company refuse to join in an issue of through passenger tickets between London, Ontario, and points on or via the Michigan Central Railroad, via St. Thomas, Ontario. (File No. 18034.110.)

Order made granting leave to London and Lake Erie Railway Transportation Company to sell through passenger tickets conditionally. See Order No. 24909.

5770. Application for rates on lumber, carloads from Spanish, Cutler, Spragge, Thessalon and Nestorville, Ontario, to Port Huron, Mich., on the same basis as now applied from these points to Detroit. (File No. 26615.)

No order necessary.

5771. Application of the London Railway Commission and the Michigan Central Railroad Company, under sections 167 and 237, for an Order approving of, and permitting the connection of the Michigan Central Railroad Company's tracks at St. Thomas, Ontario, with the tracks of the London and Port Stanley Railway Company, and granting leave to the applicants to construct the lines making the connections across Wellington street, Moore street, Centre street and Ross street, in the city of St. Thomas, Ontario. (File No. 25649.15.)

Order made granting the applicants leave to connect the tracks of the Michigan Central Railway Company with tracks of the London and Port Stanley Railway Company. See Order 24895 and amending Order 24978.

5772. Complaint of the Erie Co-operative Company, Limited, of Leamington, Ontario, against lack of shelter protection to fruit and vegetables being shipped from Leamington, Ontario, by Dominion Express over the Pere Marquette Railroad. (File No. 4214.511.)

No action taken as the matter has been arranged with the Express Company.

5773. Complaints of the Canadian Fisheries Association, of Montreal, Que., and the W. J. Guest Fish Company, of Winnipeg, Man., that the Canadian, Dominion and Canadian Northern Express Companies have published supplements to their Special Carload Fresh Fish Tariffs discontinuing the wagon service, the said supplements having been suspended by the Order of the Board No. 24628, dated January 10, 1916, as amended by Order No. 24647, dated January 12, 1916. (File No. 4214.517.)

Judgment reserved.

5774. In the matter of corrugated containers for the shipment, by express, of poultry, eggs and day-old chicks. (This matter is set down for hearing at Ottawa to enable the Poultry Department of the Experimental Farm, Ottawa, to make its representations. (File No. 4397.27.)

Application granted, matter to be dealt with and covered by the supplement to the Express Classification.

5775. Complaint of the Canadian Manufacturers' Association that the railway companies insist on charging 4th class rates on salted meats, loose, in carloads, instead of 5th class as provided in Item 54, page 113, Canadian Freight Classification No. 16. (Heard at Ottawa, September 21, 1915. Rehearing applied for.) (File No. 19367-55.)

No action taken, Canadian Pacific Railway Company to take the matter up with the other Railway Companies affected, as soon as possible, and advise the Board as to the result.

5776. Railway companies will be required to justify their tariffs providing charges for ice and salt furnished for refrigerator cars. (File No. 26113.)

Order made that the tariffs enumerated in the Order showing charges for salt and ice in refrigerator cars, be suspended pending a further hearing of the Board.

APPENDIX "C."

SUDBURY BREWING AND MALTING CO. *v.* CANADIAN PACIFIC RAILWAY CO., *re* MILLING-IN-TRANSIT PRIVILEGE.

Judgment, Chief Commissioner DRAYTON, April 7, 1915:

This is an application made by the Sudbury Brewing & Malting Company for an Order of the Board directing that a milling-in-transit privilege should be applied on the "malt grain" carried by the Canadian Pacific from Fort William to Sudbury and there brewed in the Applicants Brewery.

The real question is the reduced rate on the dried grains, or as is termed the "offal" after the brewing operation has been completed, and which becomes a stock food.

The Company is, of course, getting the local rates on the beer manufactured, and the Applicants claim that, under such circumstances, it is only just that they should be able to ship the offal on the low through rate.

While, in the first instance, I was of the view that, owing to the fact that this feed came into competition in the east with the feed produced by the offal from mills, some relief could be granted the Applicants; but on further considering the principles governing the milling-in-transit privilege, I have been obliged to change my opinion.

After all, the milling-in-transit privilege is just what it says. It is a privilege and not a right. So much so is it a privilege that when the Interstate Commerce Commisssion, for example, first commenced its work, it seemed to be very douhtful whether or not the practice should be allowed to be continued at all. As I read their decisions, it probably would not have been continued if it had not been for the fact that the country's business had so long enjoyed the right and so many plants had been built at points which could not well continue operation if the right was removed, that the Commission thought that, in the public interest, the right of the railway companies to grant the privilege must be recognized, subject, of course, to the limitation that discrimination must not be practised.

Koch *vs.* Pennsylvania Railroad Company, 10 I.C.C.R. 675, states the principle as follows:—

> "Shippers are not entitled as a matter of right to mill grain in transit and forward the milled products under the through rate in force on the grain from the point of origin to the point of destination."

Under the practice of the Interstate Commerce Commission, however, the allowance of the privilege by the carrier to shippers in one section must be without wrongful prejudice to the rights of shippers in another section served by its line.

The Judgment of the Board in the application of the Board of Trade of Montreal for an Order directing the Canadian Pacific Railway Company to furnish tariffs covering milling-in-transit arrangements for corn received at Montreal by rail from Georgian Bay elevator ports, and from Detroit, etc., deals with the question as follows:—

> "We cannot require a railway company to establish a milling-in-transit rate on anything. It is optional with them to do it. If they choose to do it themselves, then they may come under our jurisdiction if it discriminates against anybody. But in the absence of any milling-in-transit rate on corn for local consumption, I do not see how it can come under our control at all. We cannot require them to put in such a rate as I understand it. If they do it, and then if discrimination follows, it would come under the discrimination clause."

On the basis of this question of discrimination, and in view of milling-in-transit rates at other points on grain shipments, a milling-in-transit rate was required to be put in by the Board at Sudbury. This decision goes to the point of recognizing a discrimination as between millers, and to require the extension of the tariffs which the railway company has put in at other points under exactly the same conditions and circumstances and exactly for the same industry. (See Judgment of Assistant Chief Commissioner in Ontario and Manitoba Flour Mills *vs.* Canadian Pacific Railway, 10 C.R.C. 430.) For example the movement of the barley that the Applicants are interested in may be over the Canadian Northern to Fort William. Before reaching that point the barley has been turned into malt, or as the Applicants style it "malt grain"; so that, so far as the Canadian Pacific is concerned, they receive not barley but "malt grain" in the first instance; and as the Applicants contend, the grain is entitled to one milling-in-transit privilege on each railway at least, the Canadian Pacific Railway Company should be obliged to grant it after the brewing operation has taken place.

I am unable to give effect to this argument. To my mind the furthest that the position can be urged from the applicant's standpoint is on the question of discrimination and discrimination alone. Can it be said that it is discrimination to give a milling-in-transit rate to a miller and refuse it to a brewer. The object of the brewing operation is certainly not the manufacture of feed. If the brewer is discriminated against, why not the manufacturer of sugar beets or starch. Why should not the sugar beet manufacturer get the special privilege on his dried beet pulp which may be used for feed purposes; or the starch manufacturer get the low rate on the by-products of the corn which he has brought into his factory and which, again, may be used for the purposes of feed.

The review that I have been able to give the authorities has not enabled me to find any case where an order as asked extending the privilege to breweries has ever been made. To grant it would seem to be to adopt a new principle which logically would have to be carried to such a point as to make such inroads on revenues of companies as to seriously embarrass their operation.

What is asked for here is distinct from what is granted under the transit privilege. The applicant asks for transit on the by-product when there is no transit privilege on the main product—the beer. In the milling-in-transit privilege it is because a transit privilege is provided for on the main product that it is also provided for on the by-product. One rule under the Canadian Pacific Railway all-rail milling-in-transit tariff provides that, for each car of grain in, a carload of manufactured product must be shipped out within ninety days. If, for example, the flour were sold locally and only the by-product shipped out, then if ten cars of grain were received inward and only five carloads of by-product shipped out, the miller would pay the local rate on the other five carloads of grain, which, when ground, went into local consumption, and would get the balance of the rate, plus the stop-over, only on the five cars of offal, or by-product, re-shipped.

While, in the example given above, it is the by-product which is shipped out and gets the advantage of transit, it is a case of the greater including the less. The origin of the milling-in-transit privilege on flour was concerned with facilitating the flour movement, not the by-product movement. But the former having been provided for, the latter was included. In exceptional cases, as indicated above, it may be that the by-product alone moves on transit, yet it is abundantly clear that it is the privilege granted to the main product which fixes the basis of the privilege.

The tariffs have been checked, and no example appears of the transit privilege being granted a by-product, apart altogether from the main product: and the Board is not justified in granting the extension asked for.

Reported in 18 Canadian Railway Cas., 410. Concurred in by Assistant Chief Commissioner Scott and Mr. Commissioner McLean.

SESSIONAL PAPER No. 20c

Re EXPRESS COMPANIES' FORM OF RECEIPT.

Judgment, Chief Commissioner DRAYTON, April 16, 1915:

Complaints have been made to the Board by shippers against the form of receipt as settled by the Board as a result of the first inquiry into express rates and practices.

In paragraph 5 of the receipt, the company is exempt from liability in connection with loss or damage resulting from various causes named; and, among other matters, is exempt from liability resulting "from conditions beyond its control,"—the clause in the receipt, therefore, reading (leaving out matters not pertinent to the present question): "The Company shall not be liable for any loss, damage, or delay caused by the act of God, etc., etc., or from conditions beyond its control."

The result is that, under the clause now obtaining, the express company is not liable for any loss, damage, or delay caused by the railway company. The Express Company, while performing a service of transportation, is a separate, corporate identity. The acts and defaults of railways are beyond its control.

The question of responsibility for railway delays was directly raised by the complaint made by Mr. Willoughby, which was heard in part at a sittings of the Board held in Moosejaw, December 10, 1914.

Mr. Willoughby's submission was as follows:—

> "The shipper of fruit in British Columbia delivers his shipments to the express company. They are taken in transit by the railway company. Something occurs on the railway whereby the goods are not at all promptly delivered. The express company takes advantage of that and says 'That condition is beyond our control.' We want to put the express companies in exactly the same position as if it were the railway company. We want to put them on a parity. If the railway company could not plead that cause, then the express company, which is the creature after all in this country of the railway company, should not be in a stronger position."

The case was not fully developed at Moosejaw; and the hearing was completed at a subsequent sitting of the Board in Ottawa.

It may be well said that the Dominion Express Company represents an enterprise of the Canadian Pacific Railway Company; the Canadian Express Company of the Grand Trunk Railway Company; and the Canadian Northern Express Company of the Canadian Northern Railway Company.

Manifestly it would be absurd to have in the receipt covering express transportation a clause exempting the Railway Companies, in case they carried on the business directly themselves, from loss resulting from their own actions.

The express business on the Intercolonial is carried on by the Canadian Express Company and by the Dominion Express Company. In this instance, of course, the Express Companies have no connection whatever with the railway management or control.

While I entirely recognize the fact that the present receipt was subject to long and careful scrutiny in the original Express Inquiry and should not be changed or varied, unless for very sufficient reasons, with very great deference, I am forced to the conclusion that, at any rate in this regard, its provisions cannot be supported.

The Express shipper knows only the Express Company—he has nothing whatever to do with the Railway Company. The Express Company engaging to perform the contract of carriage agreed to has the right to do it in any way it pleases so far as the shipper is concerned, so long as the method adopted does not damage the shipment or cause the shipper loss, either by undue delay or for any other cause.

Treating the Express Company as an entirely independent vehicle of transportation for the purpose of performing its contract, if the Express Company adopts the agency of the Railway Company I am at a loss to know why it should not be responsible for the acts of its agent.

On the other hand, if the Express Company is looked on merely as a subsidiary company of the Railway Company, incorporated by the Railway Company for the purpose of carrying on the railway's business, in so far as the transportation of package freight to be carried at a quicker or unusual rate of speed is concerned, again, there can be no reason why the protection that the shipper would have obtained, if the Railway directly carried on the business, should be lost. The present form seems to me to unduly favour the Express Companies in relieving them from a liability that reasonably attaches to their operations.

With much deference, I am, therefore, of the opinion that the words "from conditions beyond its control" in sub-section "C" of Section 5 of the "Terms and Conditions" endorsed on the receipt, should be struck out; and that, in lieu thereof, the following new sub-section should be inserted:—

> For any loss or damage caused by delay, or by injury to, or loss or destruction of the shipment, or any part thereof, from conditions beyond the control of the Company, unless such loss or damage is caused by the negligence of the Railway Company upon whose trains or property the shipment was at the time such loss or damage occurred.

Dealing with the question in this manner effect is given to the present receipt to the full extent it appears just and preserves the former work of the Board as much as possible.

Complaints are also made that parcels which have been prepaid have been subject to "collect" charges.

This question has been taken up with the Express Companies, who claim that their practice is such as to obviate mistakes and errors of this kind as much as possible; and that, in case any mistakes happen and a duplicate collection is made, under the audit examination as made, when duplicate payments become apparent, refunds are at once made to shippers.

The companies, without order, have adopted a system of labels indicating whether or not the charges have been prepaid. The system, however, is not obligatory, nor is it uniform, not only as to companies, but, in some instances, even as to offices of the same company.

I recognize that mistakes will happen in any system, and that it probably would be exceedingly difficult for a company to check collections made by a possibly dishonest or careless driver, as in this case, a collection would never appear in the books and the exaction never be discovered by an audit, no matter how perfect the audit system might be.

Probably the most efficient way of preventing any duplicate payments would be for the Board to require prepayment of all charges and prohibit the collection of any charges from the consignee. This seems to me to be the only way of absolutely precluding error. It appears, however, that this would be depriving the public of an advantage it now enjoys.

Purchasers without a standing credit with their vendors, would be unduly hampered in making their purchases. They would have to ascertain and remit the amount of the express charges before the goods could be forwarded to them; or, if purchases in person, would have to wait for the parcels to be made up, take them to the express office, have them weighed, and pay the appropriate charge.

In addition to this, the essence of express service is speed; and, if the charges on every parcel had to be ascertained and collection made before transportation took place, I find in the way business has been carried on in the past, not only by the express companies themselves but by large shippers, unfortunate delays would ensue.

It seems to me, however, that a standard system of labels in any event must be ordered, and that every express company subject to the jurisdiction of the Board must affix a printed label to every shipment of goods received for carriage, which label shall indicate in conspicuous type whether the charges thereon have been prepaid or

are payable by the consignee. Frequently shipments include more than one package; and, as large shippers, of necessity, can often have their parcels ready for the express company but a short time before the train leaves, one label may be affixed to any one package or article in such shipment; but, in that case, the label must indicate the total number of packages or articles in the shipment.

For the purpose of further insuring against error, on all prepaid shipments, the label must be printed in black on yellow paper; and, on collection shipments, on white paper.

These labels, when affixed, must not be removed; and, in case the company requires them for the purpose of investigation or tracing the movement through their audit office, the permission of the consignee must in each case be obtained before any tag, wrapper, or portion thereof, is removed from any package or article.

Deputy Chief Commissioner Nantel and Commissioners McLean and Goodeve concurred.

STANDARD CRUSHED STONE COMPANY *v.* GRAND TRUNK RAILWAY COMPANY *re* BRANCH LINE.

Judgment, Chief Commissioner DRAYTON, April 7, 1915:

Order No. 22317 made under the provisions of Section 226 of the Railway Act directs the Grand Trunk Railway Company to construct a branch line or spur as applied for by the Standard Crushed Stone Company.

The railway company had contended that it would be obliged to extend the present siding on its right of way to properly operate the spur applied for. This question, as well as those of signal protection and of switching charges, was reserved.

Mr. Chisholm has since written the Board as follows:—

> "I should also like to draw attention to the fact that probably by inadvertence there has been omitted from the order the provision which has usually been inserted in such orders that the applicant company should convey to the railway company the necessary right of way. Such a provision for instance is contained in paragraph 1 of Order No. 20621 relating to the St. Mary's Portland Cement Company. The acquisition of the right of way is of course a necessary incident of the provisions of section 226 of the Act, and I would ask that Order No. 22317, being the order made in this case, should be amended in this way, so that pending the consideration of the question reserved, the matters already dealt with should be put upon a final basis."

While it is true that the provision Mr. Chisholm refers to is to be found in Order No. 20621, he is in error when he states that the provision has usually been inserted in orders made under Section 226. An examination of these orders shows that the practice has been to the contrary. The question does not seem to have been raised. The Order in the St. Mary's Portland Cement Company's case was in form agreed to by the applicants. The provision as to a conveyance of the right of way was never debated; and, as the clause was consented to, received no considered attention by the Commissioners.

I have been at any rate unable to find any case where the necessity for a conveyance has been passed upon by the Board.

It is necessary to consider the provisions of Section 226 which reads as follows:—

> "Where any industry or business is established or intended to be established within six miles of the railway, and the owner of such industry or business, or the person intending to establish the same, is desirous of obtaining railway facilities in connection therewith, but cannot agree with the company as to the construction and operation of a spur or branch line from the railway thereto, the Board may, on the application of such owner or person, and upon

being satisfied of the necessity for such spur or branch line in the interests of trade, order the company to construct, maintain, and operate such spur or branch line, and may direct such owner or person to deposit in some chartered bank such sum or sums as are by the Board deemed sufficient, or are by the Board found to be necessary to defray all expenses of constructing and completing the spur or branch line in good working order, including the cost of the right of way, incidental expenses and damages."

"2. The amount so deposited shall, from time to time, be paid to the company upon the order of the Board, as the work progresses."

"3. The aggregate amount so paid by the applicant in the construction and completion of the said spur or branch line shall be repaid or refunded to the applicant by the company by way of rebate, to be determined and fixed by the Board, out of or in proportion to the tolls charged by the company in respect of the carriage of traffic for the applicant over the said spur or branch line."

"4. Until so repaid or refunded, the applicant shall have a special lien for such amount upon such branch line, to be reimbursed by rebate as aforesaid."

"5. Upon repayment by the company to such applicant of all payments made by the applicant upon such construction, the said spur or branch line, right of way, and equipment shall become the absolute property of the company free from any such lien."

"6. The operation and maintenance of the said spur or branch line by the company, shall be subject to and in accordance with such order as the Board makes with respect thereto, having due regard to the requirements of the traffic thereon, and to the safety of the public and of the employees of the company."

"7. All the provisions of this Act respecting the construction of spur or branch lines shall apply to any spur or branch line constructed under this section." 3 E. VII, Chap. 58, S. 176; 6 E. VII, Chap. 42, S. 14.

It is in the first instance to be observed that construction under the section is forced upon an unwilling company. The scheme of the section differs radically from those governing the usual construction of railways which are merely permissive, the building of lines between certain points or in certain directions being left to the discretion of the Directors of the Company—the Company supplying the money for the work and taking the chances of whether subsequent operation would pay or not.

So far as branch lines are concerned, the judgment of the Company's Directors on a question of railway extension or policy may be reversed by the Board. These business spurs are usually comparatively short and the amount involved in any particular construction and subsequent operation therefore small. In the aggregate, however, the investment becomes considerable and the Act is designed to protect the Company by providing that the initial cost shall be borne by the Applicant. This cost includes not only the construction and completion of the spur but also includes right of way and incidental expenses and damages.

The risk is, therefore, that of the applicant in the first instance. On the other hand, should his judgment be well founded and traffic be carried over the spur so constructed, the railway company must refund the cost—including the cost of the right of way—to the applicant out of the charges made on his freight moving over the spur. When the whole of the amount is rebated, the spur, right of way, and equipment becomes the absolute right of way of the Company.

No difficulty arises in connection with right of way belonging to others. The purchase price is included in the cost the Board must arrive at as best it may under Subsection 1 of the Section. No applicant, up to the present at any rate, has ever sought to increase the amount of his deposit by any sum representing the value of that part of his property he desires to be occupied by the spur.

The result is that, so far as I have been able to ascertain, in no instance has the aggregate amount paid by the applicant included the value of that part of his pro-

perty he devotes to the railway use. The refund required by Subsection 3, therefore, has not been made in so far as this property is concerned.

The question to be determined is whether the Company under Subsection 5 only becomes the owner of these portions of the spur, the cost of which has been rebated to the applicant, and were included in the aggregate amount, or whether the whole of the spur, after the whole cost as fixed by the Board has been rebated, becomes the Company's property.

Taken by itself the object of Subsection 5 is plain. The spur as against the applicant, becomes in its entirety part of the Company's property—a part of its system. That portion of the right of way which consisted of property owned by the Applicant is just as much right of way under this Section as any other part,—no distinction is made.

In a sense this result works no injustice. Full effect is given to the Applicant's request. He obtains the railway facility, which in the public interest, should be permanent in character and subject to further direction of the Board as to its extension or operation, unfettered by any question of private title.

Undoubtedly, however, part of the cost of the spur entailed on the Applicant is represented by the value of that part of his property on which the spur is constructed. While he incurs no immediate cost, in so far as this property is concerned, in connection with the spur construction the property used is of some value and its loss represents a corresponding cost. On the other hand, unless the facility desired is of advantage to the applicant, the application would not have been made.

In many cases, beyond all doubt, the applicant's property as a whole is more valuable with the railway facility notwithstanding the subtraction of the land used for the right of way than it was before. In this case, no loss occurs.

I have, so far, dealt with the question having regard only to the provisions of Section 226, construing the section in a manner so as to give full effect to its provisions and irrespective of other sections of the Act.

I am of the opinion, however, that the section cannot be so construed but must be read in conjunction with Section 225, which provides that the general provisions of the Act, in so far as applicable, shall apply to branch lines, and to the lands to be taken therefor.

In my opinion, section 225 applies just as much to branch lines constructed under 226 as under 222. If this were not the case, it would be impossible for any applicant to obtain a forced construction under Section 226 should the land of any owner unwilling to sell his property lie between the railway track and the property of the applicant. The general provisions of the Act thus applying to the right of way of branch lines, the necessary lands have to be acquired either by agreement with the owners, which usually means by conveyance or else under the sections of the Act providing for expropriation and arbitration.

The result is, therefore, as a matter of strictness, no matter what the effect on the railway or industry may be, the Railway Company must obtain, after having been first indemnified against cost under the provisions of the section, the necessary right of way, including that part of the right of way owned by the applicant.

As a result, the Company acquires an interest in the land either absolute or qualified in its own name. Subsection 4 of Section 226 creates a statutory lien upon this interest, and subsection 5 may be construed as simply discharging this lien on property the Company has already acquired, as and when the refund required is completed.

Reading the sections together, as I am bound to do, the result is, notwithstanding the language of section 226, that that part of the right of way, which has not been in any manner otherwise acquired by the railway, remains the property of the former owner.

Reported in 18 Can. Ry. Cas., 374.

Judgment, Assistant Chief Commissioner SCOTT, April 1915:—

The facts of this case and the provisions of section 226 of the Railway Act—the section in question—are set out in the judgment of the Chief Commissioner, dated April 7, 1915.

The Board has made many orders under the authority conferred upon it by Section 226 of the Railway Act.

In fixing the amount of the deposit required under subsection 1 of section 226, the Board did not include any amount to be paid the applicant for the piece of property for the right of way of the spur through the applicants property; nor has it done so in any other case so far as I am aware. The Board may include the value of the right of way through the applicant's property in the amount to be deposited under subsection 1, and therefore in the amount to be refunded in accordance with the provisions of subsection 3. If that was done the railway company would be entitled to a conveyance of the right of way when the deposit was made and the line constructed. The applicant upon executing a conveyance of the right of way through his property would part with the fee in the property conveyed, but would retain a special lien over the branch line under subsection 4 until the total amount of his deposit had been rebated to him.

In the present case, as has been pointed out, no amount to cover payment of the right of way through the applicant's lands was included in the amount required to be deposited. The fee in the right of way is still in the applicant, and in my opinion remains so until they execute a conveyance of it. I do not think that subsection 5 of section 226 gives the railway company any fee in the property covered by the spur line without a conveyance from the owner.

There is no justice in the Railway Company's application for a conveyance in the present case, because it has not bought or paid for the land nor is there any provision whereby the owner would be compensated for it. The Railway Company's request should be refused.

In future, applications to the Board for an Order under Section 226 the question now raised, I believe for the first time, of the right of the Railway Company to a conveyance of the right of way, should be brought to the attention of the applicant; and, if the Railway Company insists on such a conveyance being ordered, it should only be allowed after the applicant has been duly compensated.

COWICHAN CREAMERY ASSOCIATION *v.* CANADIAN PACIFIC RAILWAY COMPANY *re* FREIGHT RATES.

Judgment, Chief Commissioner DRAYTON, April 16, 1915:—

A further complaint has been made by the Cowichan Creamery Association against freight rates charged by the Canadian Pacific.

On the 9th of January, the Association placed an Order with the Alfalfa Products Company, of Enderby, for one car of alfalfa meal. The meal was shipped ex Enderby on January 28, 1915, arriving at Duncan February 3, 1915, with freight charges amounting to $8 a ton.

Complainants state the rate to be outrageous, illustrating in support of their statements that oil meal and other grain products can be shipped from Medicine Hat, 827 miles east of Vancouver, for $8 a ton. The railway mileage of Enderby east of Vancouver is but 358 miles.

The complaint has been taken up with the Railway Company. On its face, the charge is excessive. The rate supporting the $8 a ton charge amounts, of course, to 40 cents a hundred from Enderby to Duncan.

The Classification list seems defective in dealing with alfalfa meal. Alfalfa meal, while not a grain product, is but a stock food. Alfalfa may be shipped either in the form of hay or meal; and the meal merely consists of the hay kiln dried and then ground. The manufacturing process at any rate is analogous to ordinary feed and is not more expensive. The Department of Agriculture advises the Board that the value of alfalfa meal is about the same as that of bran. It is obvious that the framers of the Classification never thought, however, of alfalfa meal, and the question seems never to have been raised.

I find the product is in much greater use in the Western States. The classification there obtaining places ground alfalfa under the ordinary heading of "meal", taking a 6th class rate.

Under the western classification, bran moves at the same rate. Treating alfalfa meal, then, as feed of low value and entitled to low classification, under the special mileage tariff applicable, a rate on the sum of the locals would be made up in the following manner,—Enderby to Vancouver, 25 cents, plus 2½ cents; Vancouver to the island, plus 5 cents; island rail haul to Duncan, or 32½ cents.

Treating it as a through movement of mill feed, and in view of the special circumstances obtaining, I am of the opinion that the rate should be reduced to 30 cents a hundred, and that an order should go accordingly.

Commissioner Goodeve concurred.

APPLICATION OF THE LONDON RAILWAY COMMISSION FOR AN ORDER GRANTING THE LONDON AND PORT STANLEY RAILWAY COMPANY THE RIGHT TO OPERATE ITS CARS AND TRAINS, PROPELLED BY ELECTRIC POWER OVER THE GRAND TRUNK RAILWAY COMPANY'S TRACKS IN LONDON, ONTARIO.

Judgment, Chief Commissioner DRAYTON, April 17, 1915:

At the hearing in Montreal, while recognizing that neither of the plans submitted by the applicant afforded a proper solution of the operating difficulties presented in this case, I was of the view, subject to such further orders and directions that public safety would require in future, that the amended plan filed by the applicant could be adopted.

The Board's officers have since been at work on the plan, and on examining the details of the track and the layout of the Grand Trunk Railway, find that the later proposal of the applicant, and which I would have adopted, involves carrying a new track through the Grand Trunk Railway Company's cross-overs. After investigations, I find that there is no other place in the vicinity to which these cross-overs could properly be moved. Without the cross-overs, the Grand Trunk Railway Company could not properly operate its passenger trains in and out of the station. The Board's officers report that, under the circumstances, the effect of the adoption of the plan would be practically to block the yard and create a danger; and that the only solution of the question is to operate the London & Port Stanley Railway to Richmond street, on the north of Bathurst street. They report that the least property of the Grand Trunk Railway Company that the applicant will require, is the forty-foot strip between Wellington and Clarence streets, lying immediately north of Bathurst street; and from Clarence street, westerly, again immediately north of Bathurst street, a strip of fifty feet, for a distance of 272 feet 3 inches; and of 80 feet a like distance, which would carry the property acquired from the Grand Trunk Railway Company, to Richmond street and give the applicant a frontage on Richmond street, for the purposes of its station, of 80 feet.

This amount of property would enable the applicant to construct two tracks between Wellington and Clarence Streets, where the tracks would be enlarged for three, one of which should be extended to Richmond street for the purpose of serving the station, the other two extending a distance, approximately, of 265 feet, to be used for baggage, express, and milk.

The applicant's present application dealt simply with business of this class. Therefore, the freight requirements of the line are not now considered, but that question is left open for consideration on any further application that may be made.

The applicant contended on the argument that, unless access was given to the Grand Trunk Railway Company's station, it would lose valuable rights. It has been impossible to arrive at any solution which would permit a rearrangement of the existing facilities and the construction of overhead work which would at all adequately provide for public safety, or for the proper and regular despatch of the applicant's business itself. The Grand Trunk Railway Company has strenuously objected to the different proposals made. Manifestly, in some way, the business of the applicant must be looked after, and, in view of the attitude taken by the Grand Trunk Railway Company, it cannot be said that that company can reasonably object to the Order now proposed.

The order will be made under the provisions of section 176 of the Act, which enables, among other things, the applicant to take possession of, use or occupy the lands belonging to the Grand Trunk Railway Company, subject to the approval of the Board being first obtained and to any Order and direction the Board may make.

Under the Section, an opportunity should be given the parties to agree as to compensation. In case no agreement is arrived at, the duty involves upon the Board of fixing the amount. The opportunity will now be given the parties to agree on the question of compensation This question will be taken up by the Board should no agreement be arrived at, on the application of either party.

Before the Order issues, the London and Port Stanley Railway Company should file, pro forma, an application under the section for leave to take this land.

AMERICAN COAL AND COKE COMPANY *v.* MICHIGAN CENTRAL RAILROAD COMPANY *re* DEMURRAGE.

Judgment, Mr. Commissioner McLean, April 12, 1915.

Decision in this matter was rendered December 4, 1914. The applicant asks for a re-hearing so that additional evidence may be submitted. In asking for a re-opening, the following reasons for such re-opening are set out:—

> "We respectfully request that this case be re-opened for the submission of additional evidence and to establish the following points in connection therewith:—
>
> "1. That the railways are directly engaged in the sale of coal and the holding of coal at Windsor, Ontario, this coal being consigned to Detroit, Mich., and the imposition of car service charges at Windsor would give the coal department of the railways an undue advantage over the individual shipper.
>
> "2. That the railways themselves are responsible for the system of sending coal to distributing points, it having been found impracticable to supply the requirements of the country in any other way.
>
> "3. That the holding of coal at Windsor is not necessary to prevent the congestion of traffic at Detroit, the Michigan Central Railroad having at present ample facilities to care for the traffic that may be offered them. That such holding of coal at Windsor is solely for the convenience of the carrier.
>
> "4. That the movement of coal from Windsor to Detroit after re-consignment orders are received is not a movement to destination, but is simply a switching movement from a yard in Canada to a yard in the United States, distribution being made from the latter yard.
>
> "5. That coal consigned to Detroit is not necessarily for delivery in that city, but for re-consignment to any point in Detroit, or beyond, as the necessities of the case may require.

"6. That the Michigan Central Railroad reported cars as being at Windsor when they were not within reach of that point. Consignees are not in a position to verify these reports of arrival without going to extra expense which they should not be called upon to bear.

"7. That under ordinary conditions, it takes at least twenty-four hours, sometimes much longer, to move coal from Windsor to Detroit, and consignees are entitled to this extra time before being called upon to pay car service charges.

"8. That in the United States when congestion occurs at any stated point, and coal or other traffic is held at outside yards to suit the convenience of the carrier, it has not been the practice of the railways to impose car service charges until the cars reach their ultimate destination, except in cases where the traffic is held at outside points by instructions from the consignees.

"9. That the Interstate Commerce Commission rulings referred to in the opinion given by your Board have been set aside by the railways themselves and are not now in effect.

"10. That this being interstate traffic, simply passing through a foreign country, the carrier has no right to take advantage of that fact to seek to impose in that foreign country (which is not under the jurisdiction of the Interstate Commerce Commission) extra charges over and above the tolls authorized for the carriage of traffic.

"11. That these extra charges are assessed under a tariff filed with the Board of Railway Commissioners for Canada, and which is given as authority for the imposition of these charges.

"12. That under the terms of the bill of lading, the traffic covered by this complaint cannot legally be held at Windsor, Ontario, unless by request of the consignee.

"13. That the Board of Railway Commissioners for Canada is the only tribunal authorized by Parliament to give a decision on the subject of local charges assessed for an alleged local service in Canada.

"14. That a decision as to the legality of these car service charges is necessary for the protection of Canadians as well as residents of the United States, inasmuch as the complaint raises the right of a carrier to violate the terms and conditions of its bills of lading."

The Michigan Central Railway Company's reply to these points is as follows:—

"1. We do not know what is meant by 'the railways.' This is a case in which the Michigan Central is alone interested. The Michigan Central is not engaged in the sale of coal, and in any event the point raised has nothing whatever to do with the questions involved in this case.

"If there is a complaint of discrimination or undue advantage, the Michigan Central is prepared to meet same upon proper complaint, but the point suggested has nothing whatever to do with the legality or illegality of the car service charge.

"2. This point answers itself and shows the necessity of the practice, as the requirements of the country cannot be supplied in any other way.

"3. The tariff provision contained in I.C.C. 4497, note 3 to rule 1, and which is set out in the Board's judgment, *reserves* the right to hold cars. It may be that at present or some other particular time congestion does not exist, but it is well known that in all large centres there is more or less congestion; and, unless the railway company is free to be the judge in the matter, confusion would become more confounded. It is not true that the holding of cars is solely for the convenience of the carrier, as it is self evident that the avoidance of congestion enables consignees to receive prompt delivery. If the complainant

objects to the holding of cars, he can instruct his shipper instead of billing to 'Detroit' generally to show the name of consignee and the specific delivery required within the Detroit switch limits, in which case cars so billed will not be held and demurrage will not accrue until the cars are placed upon the specific private siding or train track indicated by the billing.

"4. It is self evident that the movement from Windsor to Detroit is a movement to destination just as much as any switching movement must be a movement to the ultimate delivery of the car. The evidence established that a more expeditious delivery is made from the Windsor yard than would be made from the outer yards on the American side, all of which are situate outside the limits of the City of Detroit. The situation and manner of handling Detroit traffic was fully explained to the Board by Mr. Shearer, who exhibited plan of the Detroit switching limits, and showed how the traffic arriving from various points was regulated and deliveries effected.

"5. This point does not call for any answer. It is self-evident and shows the necessity of holding cars in outer yards.

"6. What complaint can there be if advance notice is given of the car? It affords more ample time to consignee to order disposal of the car. Demurrage is not assessed until after the arrival of the car and the free time has expired. This is a complaint which might be made by any consignee at any point upon the railway. It has no bearing upon the questions decided in this case.

"7. The evidence showed that cars could be more promptly delivered from the Windsor yard than from the outer yards in the Detroit switching district. The point recognizes the car service and asks for additional free time. As soon as the order for disposal is given to the railway, the car service ceases until the car is placed, i.e., no charge is made for the time consumed in the movement. Evidently complainants do not appreciate or desire speedy railway service.

"8. In this point 'the railways' are again referred to. In so far as the Michigan Central is concerned, there is the tariff charge which it is bound to, and does enforce. The consignee cannot be prejudiced, as he has only to give to the Railway Company his order for the disposal of the car and which is held for his convenience. If he delays in so doing, what possible reason can exist why he should not pay the car service?

"9. In this point, 'railways' are again referred to. It is impossible to understand how the railway can set aside the Interstate Commerce Commission rulings. If the rulings have been reversed, dissented from or qualified, the complainant was at liberty to show that in his submission. We are instructed that the cases still stand as the unquestioned judgments of the Interstate Commerce Commission.

"10. The car service is imposed under a duly filed tariff filed with the Interstate Commerce Commission, Number 4497.

"11. This is answered in point 10. Tariff I.C.C. 4497 is also filed with the Board as C.R.C. 2171, as hundreds of other tariffs are filed, simply because it covers matters applicable to Canada as well as to the United States.

"12, 13, and 14. These points are questions of law, and have been decided against the applicant.

"In confirmation of the law as expressed in the cases referred to in the Board's judgment, we beg to refer to Berwind-White Coal Mine Co. *vs.* Chicago and Erie RR. Co., decided 14th December, 1914, by the Supreme Court of the United States, reported in advance part 4 for Volume 235, p. 371. The decision of Chief Justice White is expressed as follows:—

"'Conceding that a tariff concerning demurrage was filed, it is insisted it only authorized demurrage at destination and the cars never reached their destination but were held at a place outside of Chicago. The facts are these: The

storage tracks of the railroad for cars billed to Chicago for reconsignment were at Hammond, Indiana, a considerable distance from the terminals of the company nearer the centre of the city, but were convenient to the belt line by which cars could be transferred to any desired new destination, and the holding on such track of cars consigned as were those in question was in accordance with a practice which had existed for more than twenty years. Under these circumstances, the contention is so wholly wanting in foundation as in fact to be frivolous.'

"There has been no change in conditions to justify a re-hearing The applicant was not taken by surprise at the hearing. No new evidence has been discovered which was not available for the hearing, and if the Board grants rehearings merely because asked for, there can be no finality to its orders or judgments."

It is alleged that the holding of the coal at Windsor is not necessary to prevent congestion of traffic at Detroit, and objection is taken to the practice of giving notification that the cars are held at Windsor, it being stated that in some instances such report is given when the cars have not yet reached Windsor, and that as a result of this consignees are not in position to verify the accuracy of notification without going to extra expense which they should not be called upon to bear. It is stated, further, that under ordinary circumstances it takes some 24 hours to move coal from Windsor to Detroit, and that the consignees are entitled to this extra time before being called upon to pay the car service charge.

The points that are material to the application for re-opening, are, however, those concerned with the question of the alleged jurisdiction of the Board, and the reasons for exercise of such jurisdiction. It is stated:—

1st. That this being interstate traffic, simply passing through a foreign country, the railway has no right to seek to impose in this foreign country extra charges over and above the tolls authorized for the carriage of traffic.

2nd. That the tariff filed with the Board is given as authority for the charges.

3rd. That under the terms of the Bill of Lading the traffic in question cannot legally be held at Windsor, unless by request of the consignee; and

4th. That the Board is the only tribunal having jurisdiction.

These points involving the jurisdictional phase of the question, even if not developed in the same way as at present, were before the Board on the previous application. For the reasons set out in the judgment of the Board pronounced December 4, 1914, it was stated that the recognition of international comity appeared to demand that the application should be dismissed, and that Order should go accordingly. The jurisdictional question is the fundamental one, and it does not appear that the finding made in the judgment of the Board of December 4, 1914, should now be changed.

Reference may be made to the fact that in its decision in *International Paper Company et al* v. *Delaware and Hudson Company et al 33 I.C.C. 270,* the Interstate Commerce Commission had before it a complaint that certain joint through rates higher than were maintained for many years, published by Canadian carriers and concurred in by carriers in the United States for transportation of pulpwood from points in the Dominion of Canada to points in the State of New York were unreasonable.

As to the scope of its jurisdiction in respect of such traffic, the Commission refers, at p. 273, to the decision of the Supreme Court of the United States in *T. & P. Ry. Co. v. I.C.C., 162 U.S. 197* as establishing that "there can be no doubt that our jurisdiction over carriers by railroad in the country subject to the act includes all of their lines within the boundaries of the United States, without regard to where the freight carried originates."

In the case of shipments from points on the Grand Trunk to points on the Delaware & Hudson, the rates being divided on a percentage basis, one-half of the increase

accrued to the Delaware & Hudson. The junction point at which the Delaware & Hudson receives this traffic from the Grand Trunk is at Rouses Point, N.Y., about one mile south of the international boundary. The junction point through which this traffic moves from the Grand Trunk to the New York Central is Massena Springs, N.Y., about twenty miles from the boundary line as the traffic moves, but in reality within six miles of the boundary in a direct line.

While, as has been indicated, the Commission reaffirmed its jurisdiction in respect of the portion of the movement within the United States, it was unable either to see cause for exercising this jurisdiction or benefit arising therefrom to the parties applicant. That is to say, it declined to take action where a bare jurisdictional plea was involved.

In so declining to exercise jurisdiction, the Commission pointed out that in practically every instance the entire increase accrued and accrues to the Canadian carrier for service performed within Canada, and the matter thus being one which it recognized as almost exclusively falling within the jurisdiction of the Board, it did not see fit to exercise jurisdiction as to the smaller portion of the matter which fell within its own jurisdiction.

The Board was advised under date of March 17, 1915, by the applicant that the question of discrimination against the American Coal & Coke Company by the Michigan Central Railroad Company had been submitted to the Interstate Commerce Commission. There has been forwarded to the Board and is now before it a copy of the complainant's brief in the case of the American Coal & Coke Company vs. the Michigan Central Railroad Company. This brief is Docket No. 7261, and bears on its face a statement that it is by Mr. Duthie for the complainants. From the brief, it appears that the matter of the complaint came before one of the examiners of the Interstate Commerce Commission at a session in Detroit on February 26, 1915. The discrimination is stated to be of a four-fold character and is set out as follows:—

> First. That the defendants compelled the complainants to pay certain charges for car service ($129) on anthracite coal consigned to them at Detroit, Mich., and held by them at Windsor, Ont.
>
> Second. That the defendants entered suit in the Circuit Court of the County of Wayne in the State of Michigan for a sum, said to be five thousand dollars, for alleged car service charges which the complainants had declined to pay until the legitimacy of the charge was proven.
>
> Third. That the defendants cancelled the credit account of the complainants because of their refusal to pay car service charges which they claimed were not legitimate.
>
> Fourth. That the said E. J. Corbett, Charles C. Corey, Ayers & Lang, Meeker & Co., and the Ohio and Michigan Coal Co., against each and all of whom car service charges were assessed under precisely the same identical conditions as those charges against the American Coal and Coke Co., were exempted from the payment of these charges were not sued by the defendants for recovery, and were retained on the credit list of the Michigan Central Railroad Company, thereby receiving an undue and unreasonable preference and advantage over the complainants, and that this preference and advantage constituted clear discrimination against the complainants under the terms of the Act to Regulate Commerce.

The charge at Windsor has been attacked in the hearing before the Board as illegal, and it is alleged not to be within the jurisdiction of the Interstate Commerce Commission.

In the application now before the Interstate Commerce Commission, the complaint of discrimination flows from the charge made at Windsor. The plain result is that in another form the applicant is seeking from the Interstate Commerce Commission the

same relief as asked from this Board, and the conclusion already arrived at that the Interstate Commerce Commission is the proper forum to deal conveniently with the underlying question is confirmed.

The action taken before the Interstate Commerce Commission re-enforces what has already been said. In the face of what appears to be a logical deduction from the facts as set out in the brief already referred to, it would be improper for further action to be taken by the Board while the applicant has action pending before the Interstate Commerce Commission, and until that Commission declines to act in the premises on the ground of a lack of jurisdiction.

Judgment, Chief Commissioner Drayton, April 20, 1915:

I agree with the Judgment of Mr. Commissioner McLean refusing the application for a re-hearing, and with his conclusions. Cases are not re-opened, unless doubt has arisen in the minds of the Board as to the correctness of the first conclusion, by reason of new matter advanced on an application to re-open, or otherwise as to the soundness of the first conclusion, or when new evidence on a material issue can be presented. No such conditions exist here.

I desire, however, to add to Mr. McLean's judgment, owing to the fact that Mr. Duthie, who appeared for the Applicant Company, has expressed his intention of carrying the question further. He has, of course, an admitted right to appeal; and, under the circumstances, I propose to add to the former judgment, which dealt with the question in a final manner so far as the Board was concerned, but only on the question of comity between the Commissions of the two countries.

A short review of the facts is necessary. As stated in the original complaint:

> The complainant has been shipping from points in Pennsylvania, and receiving at Detroit, Mich., by way of the Niagara gateway and Windsor, Ont., anthracite coal consigned to the American Coal and Coke Company at Detroit, Mich.

The contract for carriage, the receipt of the coal by the carrier (in this case the Michigan Central Railroad Company), and the ultimate delivery, all take place in the United States. The only matter dealt with in the former judgment, on the ground of comity, was the charges collected for demurrage on cars held in Windsor for orders from the complainant stating at what industrial spurs in Detroit delivery should be made. The charge is justified by the company under its Tariff I.C.C. No. 4497 and Supplement No. 10.

The complainant contends that no charge whatever for demurrage can be made until the contract has been performed by the carrier; that the contract is not performed until a delivery is made in Detroit; that the Windsor delivery, or rather transit interception, is certainly not a Detroit delivery; and hence no demurrage charge for Windsor can properly be made. I should also state that the demurrage charges are covered by an I.C.C. tariff on file with this Board, the same tariff and supplement being on file with the Canadian Board as is on file with the Interstate Commerce Commission.

The duty thrown on carriers in the first instance, before railways were operated, was to make a personal delivery; so the contract was not performed until the goods were either delivered or properly tendered to the consignee at the stated address. With the advent of railways and the changed conditions brought about by transportation in large quantities, the old rule, which still applies in the case of express business, was changed, and the whole obligation thrown on the railway carrier was to unload the goods or place the car at a proper and convenient point in its terminals in the place to which the goods were consigned, proper practice calling for a notification to the consignee of the arrival of the goods. The contract of carriage is at all times subject to the direction of the owner; and the carrier is obliged to obey the owner's directions during transit. A direction to a particular place can be countermanded, and the owner

can secure the return of his property on payment of proper charges, or, in like manner, have it sent to some other destination. Coupled with this right exists the well known right of stoppage in transit. Further, consignees now have the right, after the car containing their goods has arrived in the railway yard at its destination, to specify to what particular track the car shall be switched for unloading. It is this privilege that the applicant company has availed itself of, since, as pointed out in the previous judgment, it handles coal in carload lots, has no coal yard of its own, and cannot say, at the time the bill of lading is made out, what particular customers may require the coal, or on what sidings it is to be delivered.

The practice is common, and, to my mind, it is free from objection. It simply affords reasonable convenience to merchants in carrying on their business. Without such rights, indeed, their business would be seriously obstructed.

The position that I take on this primary issue (if, indeed, it can be called one) is, therefore, entirely in favour of the complainant; but the railway company then contends that, under the tariffs filed, as I have stated, both with the Interstate Commerce Commission and this Board, cars moving subject to such instructions must not be delayed longer than the 48 hours free time allowed by the car service rules.

The next question is as to whether or not this demand for demurrage can be allowed before the car has arrived at the company's railway yard in the place to which the coal is consigned.

The Michigan Central has established the fact that it has, in Detroit, a yard for its north business, its south business, and its west business; that it has not in Detroit a yard sufficient for its east business; but that it is using its yard at Windsor as a yard in which constructive Detroit deliveries of traffic from the east can be made.

So far as the distance from the centre of Detroit is concerned,—if that is to be taken as the criterion—the Windsor yard is no further away than at least one of the other yards mentioned.

If the railway company had carried the coal in question to Detroit and placed it in one of the other yards, manifestly this Board would have nothing to do with the question; but Windsor is not only a separate municipality, but is in another country. Can this fact alter what might be otherwise a reasonable and proper method of handling traffic? In so far as constructive deliveries are concerned, and under the American practice and the decisions of the American courts, the actual distance of the Windsor yard from Detroit would not be admitted as a valid ground for objection. It is unnecessary to mention again the American authorities referred to in the previous judgment. The fact is that yards much more short of the destination than Windsor is short of Detroit, have been recognized as points at which cars may be held for re-consignment orders. It should also be stated that these decisions have been largely, if not altogether, arrived at in view of the fact that the terminal tracks at the ultimate destination have been congested.

The question as to whether Detroit tracks are or are not congested is not one on which this Commission should pass. If Detroit terminals are not congested, or if any hardship is worked against consignees, it is an easy matter for the Insterstate Commerce Commission to disallow the particular tariff under which this charge is made; but, excluding the matter of congestion and admitting the necessity for yards where cars may be held for orders, we have to consider the ultimate question, whether, under any circumstances, in so far as the railway tracks in Canada are concerned, the cars referred to, when held short of the termini, are or are not liable to demurrage charges for detentions beyond the time limit.

The delays for which demurrage charges are made undoubtedly occur in Canadian territory. So far as the railway services for which the charges are made are concerned, they are railway services performed within Canadian territory; and, considering the matter apart from the question of comity between the two commissions, treating Detroit as an Ontario point only a short distance from Windsor, and viewing the whole

transaction as entirely Canadian in its inception, and completion should we say that the practice is one which should be allowed?

Real estate in the centres of large cities is extremely expensive; and hence railway termini in such centres are not so large as they might otherwise be. This is true in Canada as elsewhere; and, as a consequence, railway termini in our large Canadian centres have at times been injuriously congested and, if all terminal yards are to be confined within the limits of the city before any constructive delivery can be made, business will either have to cease to some extent, or railway rates will have to be increased; and referring to our usual practice in Canada, we may note that cars destined to Toronto are held at Mimico for switching orders,—a point much farther from Toronto than Windsor is from Detroit. In like manner, cars destined to Montreal and Winnipeg are held at points outside of these cities for switching orders—all subject to demurrage charges in cases of detention beyond the time limit.

Therefore, treating the case as one entirely within its own control and jurisdiction, the Board should, I think, re-affirm its former judgment, no case for a re-hearing having been made out.

LONDON RAILWAY COMMISSION *v.* BELL TELEPHONE COMPANY OF CANADA *re* RAISING OF WIRES WHERE THEY CROSS THE LONDON AND PORT STANLEY RAILWAY.

Judgment, Chief Commissioner DRAYTON, April 19, 1915:—

The London Railway Commission has made application, in a number of cases, for orders directing the Bell Telephone Company to raise its wires at points where they cross the London and Port Stanley Railway Company's tracks. In this case, as well as in Files Nos. 25542.13, 25542.9, 25542.7, 25542.1, 25542.2, 25542.4, 25542.5, and 25542.3, the crossing occurs along the line of the public highway. In some other instances, the file does not show that the crossing is on a highway and it may well be that the crossing occurs over the private right of way of the railway company at the other points.

The London and Port Stanley Railway Company is changing its system of operation from steam to electricity. The electrical system the company is adopting is the overhead catenary, with the result that the present telephone construction has to be changed and the telephone wires changed at these crossings, and new poles put in, so as to provide proper clearance for the new railway overhead construction.

There is no reason why orders should not be made in each case, directing the Bell Telephone Company to change its plant at the points in question, as requested. The Bell Telephone Company, however, claims that the applicant should be at the cost of this work, and relies on paragraph No. 6 of the Board's Standard Conditions and Specifications for Wire Crossings. The railway company claims that its railway was constructed and in operation shortly after 1853, and was operating at the crossings in question long prior to the erection of the Bell Telephone Company's plant and equipment. The applicant states that it is senior to the Bell Telephone Company, and that, as changes which have been made are necessary for the proper operation of its line, the Bell Telephone Company should be at the cost of making the necessary change in its system.

In so far as any crossings over the actual right of way by the applicant are concerned, I am of the opinion that the London Railway Commission is correct in its submission, and that its seniority must prevail. The fee of the property crossed by the wires of the Bell Telephone Company in this instance, is in the railway, and, under the Board's practice, the right of crossing that the Board has permitted over the Railway Company's right of way must be subject to the reasonable exercise by the Railway Company of its proper rights, and as permitted by the Board.

In so far, then, as these crossings are concerned, an Order will go that the work should be required, at the expense of the Bell Telephone Company. The larger number of crossings, however, consist of cases where the plant of the Bell Telephone Company is built, under the authority of the Dominion Act, along the highways, the wires crossing the railway construction along the line of the highway crossing. In this instance, so far as the record shows, the fee is in the municipality, with the right in the railway company to cross the highway with its track. When the crossing was first occupied by the Bell Telephone company, this was the only right which the London and Port Stanley Railway Company had. It had at that time no right to cross the highway with wires, or to put any obstruction on the highway, except as authorized by the Railway Act and necessary for the purpose of carrying the railway, which was then operated by steam, over the highway.

Railway companies, under such circumstances, have no rights outside of the Order of the Board, conferring the right of crossing, which right is confined to the actual work required to be done. So that a railway company, in case an elimination of the grade crossing is considered, with a one hundred-foot right of way on each side of the highway and only one track authorized across the highway, would, as of right, only be entitled to a consideration of the single track, *re* Hamilton and Grand Trunk Railway Company, Kenilworth Avenue Case. File No. 23753.

While, therefore, at these highway crossings, the track of the London and Port Stanley Railway Company is senior to the construction of the Bell Telephone Company, the new overhead work requiring the change was not authorized at the time the Bell Telephone Construction took place, with the result that the railway company's new overhead work is junior to the Bell Telephone Company's construction, and the costs of all changes rendered necessary for the convenience of the new railway construction at highway crossings, must, therefore, be paid by the applicant.

Assistant Chief Commissioner Scott concurred.

Re SECTION 276 OF THE RAILWAY ACT.

Judgment, Chief Commissioner Drayton, May 6, 1915:

Application has been made by the Canadian Pacific Railway Company for an order of the Board exempting the Company from compliance with the requirements of section 276 of the Railway Act, in so far as a number of different crossings mentioned in the application are concerned.

In support of the application, the company points out that these crossings are protected by gates, bells, watchmen, etc., and that there is no necessity for protection by a man stationed on the foremost part of trains or tender.

The Operating Department has had the question under consideration, and it has been discussed by the Department and the Railway Company for some time past; and the department recommends that an Order be issued relieving the railway company from stationing a man on the back of the tender, as required by Rule 102 and section 276 of the Railway Act, when backing over the crossings in question, which are all protected to the satisfaction of the Board. The recommendation, however, distinguishes between the case of a rear movement of an engine having no car in front of it and other movements, and insists that in any case where the engine is preceded in the movement by any other rolling stock, that a man must be stationed on what is the front car of the movement.

Section 276 is as follows:

> "Whenever in any city, town or village, any train is passing over or along a highway at rail level, and is not headed by an engine moving forward in the ordinary manner, the company shall station on that part of the train, or of the tender if that is in front, which is then foremost, a person who shall warn persons standing on, or crossing, or about to cross the track of such railway. 3 E. VII, c. 58, s. 228."

The section was amended in 1910 by the addition of the following subsection:

> "2. The Board, upon the application of any company or person, shall have power to order that this section shall not apply to any particular trains or classes of trains, or to trains running on any specified portions of the railway of the company; provided that no such order shall be made with respect to trains engaged in shunting, or in yard or terminal movements."

In the opinion of the operating department, a man on the tender when the engine leads the movement, although backing, serves no useful purpose. In the case of almost every engine, as a matter of fact, the engineer has at least as good if not a better view of the track in front of him as in the case of a front movement, a tender nearly always being shorter than the boiler and other engine works in front of the cab; and, in the case of a reverse movement, as a usual thing, there is no possibility of the view being obscured either by smoke or steam.

In other words, it would appear that, if a man on the tender is necessary, a man is also necessary in the front of every locomotive operating over crossings.

Under the Rules, an engine proceeding reverse action has to have a light on the tender at night; and the cow-catcher has certainly never proved of much help in saving the public from injury in the case of being struck by an engine. These are the grounds on which the department has made its recommendation.

Under the Subsection, the Board may order that the Section shall not apply to any particular class or classes of trains. As a matter of first impression it would appear that it is practically impossible for the Board to do this, that in the interests of the public, there should be a uniformity of practice at any particular crossing, and that it would be against the best interests of everyone for the Board to attempt to catalogue in classes all the different movements that might take place, and to say that for this movement or for that, that a person must be placed on the front of train when the engine is not situated as in the ordinary movement, and suspend the effect of the statute in other instances.

To my mind, any action taken by the Board should be under that part of the section which the company invokes, namely, to exempt from the operation of the section specified portions of the railway, in other words, specified crossings. The different crossings, however, in respect to which relief is sought are situate within terminals, and are, therefore, subject to more or less shunting, yard or terminal movements.

In view of my inability to see that the Board can usefully distinguish between movements, I am, therefore, of opinion that the order asked for cannot now be made. The record contained by the different files cannot be said to be complete; and, the question being new, leave will be given to the company to have the whole matter set out for hearing at an operating session of the Board, should it so desire.

STEEL COMPANY OF CANADA V. TORONTO, HAMILTON AND BUFFALO COMPANY *re* SWITCHING RATES.

Judgment, Chief Commissioner Drayton, May 6, 1915:

Complaint is made by the Steel Company of Canada against the switching rates obtaining in the Hamilton Terminals of the Toronto, Hamilton and Buffalo Railway under Tariff C.R.C. No. 858, effective April 1, 1913, as amended by Supplement No. 4, effective May 5, 1913.

The proceedings in this particular complaint were commenced by letter of March 2, 1915.

At the hearing at Hamilton, April 28, 1913, when the Grand Trunk Railway and Toronto, Hamilton and Buffalo local switching rates as of March 25 and April 1, 1913 (C.R.C. 2677 and 858 respectively), were suspended, the Toronto, Hamilton and Buffalo was permitted to increase its former schedule to the Grand Trunk basis where it had

been lower. The parties subsequently conferred and appear to have reached a mutually satisfactory understanding, seeing that nothing has been heard from either until receipt of the letter of the 2nd of March from the Steel Company of Canada, and their letter objects to the districting of the Toronto, Hamilton and Buffalo terminals rather than the rates themselves, although the inter-district rate is concerned to some extent.

Under the tariff the railway company has two switching areas, the Belt Line, designated under the tariff as "B," and a more restricted area designated as "A" between Aberdeen yards and Wentworth street.

The Steel Company's plant is situate on the Belt Line and switching charges are made against its movements as provided for district "B."

As already pointed out, district "B" is considerably larger than district "A," the length of the company's line in "A" being about three miles, while the company's tracks in "B" total about seven miles.

The local switching rate from any one siding to another in district "B" is 1 cent per 100 pounds. A similar charge is made for similar service between sidings in district "A". On movements in district "B" to district "A", and vice versa, the initial charge of 1 cent is increased, so as to make the rate 1¼ cents.

The complainants require to move cars from their works on the water front, which are situated, as already stated, in district "B," to the Union Drawn Steel Company, whose works front on Victoria avenue south, which is within district "A"; and they desire that an order be made by the Board extending the limits of district "B" as far west as Ferguson avenue, a thoroughfare some 1,500 feet to the west of Victoria avenue.

Wentworth avenue, which is the present westerly boundary of district "B", so far as movements to sidings on the southerly portion of the system is concerned, lies some 3,500 feet east of Ferguson avenue.

The result of granting the order asked would, therefore, be to enlarge district "B" to the advantage of industries therein situated to this extent, and to correspondingly narrow district "A" to the detriment of industries which happen to be located therein.

The Railway Company, in its answer to the applicants, points out that Wentworth street is the easterly limit of the Hamilton terminals of the company under the provisions of the lease to the Canadian Pacific Railway Company and the agreement with that company for joint operation over the Hamilton terminals, an arrangement sanctioned by the Governor in Council in or about the year 1897.

The company also points out that if these districts were to be divided at Ferguson avenue as required by the applicants it would have the effect of making the division of the districts and rates practically in the centre of the company's Hamilton terminal team-track yard, and of making the higher inter-district switching charge from one team track, or a portion of a team track, west of Ferguson avenue to another team-track, or portion of team-track, east of Ferguson avenue, and vice versa, within the same yard. This point seems well taken. Any such arrangement would create a very unfair and unreasonable condition as between shipments.

There is no doubt that a division of districts such as these under consideration should, if possible, be made at a point where no such results would follow.

It is a principle of tariff making to break the rate groups at flag stations or unimportant points as far as practicable; and, to apply the principle in this case, there is no doubt that Wentworth street would be the proper boundary as against Ferguson avenue, as on Wentworth street south there are no industries with track facilities.

The Applicants make another point, based on the Grand Trunk rates, that leave was given to the Toronto Hamilton and Buffalo to make its switching charges correspond to the Grand Trunk rates.

As a matter of fact, the Grand Trunk zones do not happen to have the same boundaries that the Toronto Hamilton and Buffalo zones have, so that on some particular movements under the Grand Trunk tariff it might well be that only one zone

rate would apply, where the corresponding zone rate with the extra quarter of a cent would be collected under the Toronto Hamilton and Buffalo tariff. Under the Grand Trunk tariff, however, the same inter-zone quarter of a cent is collectible; but the Grand Trunk does not reach the Union Drawn Steel Company referred to by the applicants. The application is therefore dismissed.

Reported in 18 Can. Ry Cas. 339.

Assistant Chief Commissioner Scott and Mr. Commissioner Goodeve concurred.

APPLICATION OF THE CITY OF LACHINE FOR A FOOT SUBWAY UNDER THE TRACKS OF THE GRAND TRUNK RAILWAY AT SEVENTH AVENUE.

Judgment, Assistant Chief Commissioner Scott, February 24, 1915.

The city of Lachine applies to have a foot subway opened under the tracks of the Grand Trunk Railway Company where it intersects Sixth avenue on the south side of the tracks, and Seventh avenue on the north side of the tracks of the railway company. It is admitted that the highways are junior to the railway. There is no crossing over the tracks of the railway either east or west of the point in question for several blocks. I have viewed the location on the ground. The point where the subway is applied for is a short distance west of Dominion station on the railway, and in the vicinity of several large industries where a considerable number of persons are employed. It is said that a farm crossing at one time existed about the point where the subway is now applied for. There is no evidence of any dedication of a way of communication to the public by the railway company across its tracks. The well defined policy of the Board in cases of this kind is that the entire expense of the work necessary to carry the subway under the existing tracks of the railway company must be borne by the municipality.

The Grand Trunk Railway Company says that it intends to lay two more tracks in addition to the two that now exist on its right of way at this point. No work in preparation for the laying of the additional tracks has yet been done on the ground. Under Present conditions it is not likely that these additional tracks will be laid for some time.

Under these circumstances I see no necessity of our disposing of the point raised by the railway company at present. I would grant this application without prejudice to the rights of either party to raise the point again before the Board if the laying of additional tracks is ever undertaken.

Therefore, I think an order should go granting the application of the municipality to construct a pedestrian subway under the existing tracks of the railway company at the point in question. The work to be done entirely at the expense of the municipality.

The plans of the subway to be approved by an engineer of the Board.

The work to be commenced not later than the first of June next, and to be completed by the first of July following.

Reported in 16 Can. Ry. Cas., 365.

Mr. Commissioner McLean: I agree, recognizing the obligations which the established practice of the Board in regard to seniority and juniority entail in such an application as the present.

Deputy Chief Commissioner Nantel concurred.

APPLICATION OF THE CITY OF LONDON, ONT., TO CONSTRUCT ASHLAND AVENUE ACROSS THE GRAND TRUNK RAILWAY TRACKS, LONDON, ONT.

Judgment, Mr. Commissioner McLean, March 5, 1915:

By Order 22853, of date November 9, 1914, the applicant, the Corporation of the City of London, was authorized to construct and maintain, at its own expense, a highway crossing over the Grand Trunk Railway where the same intersects Ashland ave., in the City of London.

Application is made by the City, under date of February 26, asking that the Order be amended so as to provide that the Grand Trunk Railway Company shall construct and maintain the crossing, or, in the alternative, if it is impossible to grant this amendment, that the maintenance shall be on the railway, and that failing this being granted the maintenance shall be looked after by the railway at the expense of the applicant.

The situation is that prior to the Order of the Board, the City had no rights of crossing at the point in question. The crossing as asked for was to cross the right of way of the railway. In being permitted to carry its street across the property of the railway, the cost of construction and maintenance being placed upon the City, it must be recognized that here there is, as regards the railway, an invasion of a property right, this invasion being sanctioned because of public need. If the City were carrying its street across private property which was not affected by a public use, as is the right of way of the railway, the expense of acquisition of the land upon which the portion of the street traversing the property in question was located, would be upon the city, as well as the cost of the laying out of the street and its subsequent maintenance.

The Railway Committee of the Privy Council had a jurisdiction in regard to permitting highways to be carried across railways. The jurisdiction in this respect is now possessed by the Board. At a meeting of the Railway Committee of the Privy Council, on November 15, 1899, in the matter of the application of the City of Toronto *re* Lansdowne avenue crossing, Toronto, the Solicitor for the Canadian Pacific Railway Company, in stating the practice of the Railway Committee, said that there were three classes of cases in which application may be made by a municipality or a railway to cross one another as to highway crossings. After referring to a case where the highway was senior, and to a case where, after a railway had been carried across a highway or a highway carried across a railway, the question of protection was brought up because of change in circumstances, he went on to say:

> "One other case is where the municipality has for the first time sought to cross a railway already in existence, and in that case the rule is the other way. They made the municipality pay the cost of construction and maintenance forever, and the railway was free."

Later, in the course of evidence, the Honourable Mr. Blair, who was then Chairman of the Committee, in addressing the Counsel for the City of Toronto, said: "You have heard what the rule is which this Committee has acted upon, and my experience agrees with that."

Reference to particular cases might be made in support of this presentation of the rule. For example, the Railway Committee in authorizing, on November 22, 1892, Wonham street, in the Town of Ingersoll, to be carried across the Grand Trunk, and in providing that as a condition of the granting of the crossing gates should be at once installed, provided not only that the cost of construction and maintenance of the crossing, but also the cost of construction and maintenance of the protection, should be on the town.

Again, in authorizing, on October 6, 1897, the Corporation of the Parish of St. Blaise to construct crossing across the Grand Trunk Railway, the Committee provided the cost of construction and maintenance should be on the municipality.

In authorizing, on January 22, 1897, a street to be carried across the Canadian Pacific Railway, in the City of Quebec, the cost of construction and maintenance was placed upon the municipality. A similar order issued on the 26th of September, 1896, in connection with an authorization giving the City of Winnipeg permission to extend Gladstone street across the Canadian Pacific Railway.

An order of December 12, 1890, in authorizing various highways to be carried across the tracks of the Intercolonial provided that full cost should be on the municipalities concerned.

Where the Board grants permission to a municipality to open up a street across the railway, the uniform practice is to place the cost of construction and maintenance upon the municipality. Reference may be made to the decision of the Board in the village of Weston *re* Canadian Pacific and Grand Trunk Railway Cos., 7 Can. Ry. Cas., 80, and the Order which thereafter followed. In terms of the order, provision was made that the cost of construction was to be borne by the applicant, provision being made for the division of the work, with the further proviso that in respect of the portion of the work done by the Railway Companies, these companies were to be reimbursed by the applicant; and, further, the work of maintenance was to be done by the railways at the sole cost and expense of the applicant.

Reference may also be made to the Town of St. Pierre *vs.* Grand Trunk Railway, 13 Can. Ry. Cas., 1; Village of Bridgeburg *vs.* Grand Trunk and Michigan Central Railway Companies, 14 Can. Ry. Cas., 10.

Order 22853 may, if the applicant so desires, be amended so that the work of construction and maintenance will be done by the railway, at the expense of the applicant.

Copies of this memorandum may go to the parties so that they may be heard from in regard to the matter of an amending order, if such is deemed necessary.

Chief Commissioner Drayton concurred.

APPLICATION OF THE ERNESTTOWN RURAL TELEPHONE COMPANY, LIMITED, FOR A RULING OF THE BOARD AS TO THE MEANING OF CLAUSE 8 OF THE STANDARD FORM OF CONNECTING AGREEMENT BETWEEN THE BELL TELEPHONE COMPANY AND THE INDEPENDENT COMPANIES.

Judgment, Mr. Commissioner McLean, May 17, 1915:

The agreement in question is set out in the Board's General Order No. 114. Clause 8 reads as follows:—

> "8. The charge for each message or conversation transmitted to or from points on the System of the Proprietor and to or from points on the System of the Bell Company other than shall be the established long distance rates of the Bell Company, plus the Proprietor's charge of each party to receive its own charge, and the party on whose line the call originates shall collect and be responsible for such charge; provided, however, that the Bell Company shall not be obliged to collect and be responsible for the Proprietor's charge if the Proprietor fails to collect a like charge on messages originating on the Proprietor's system."

The applicant Telephone Company states that it has a 10-cent rate both in and out on its system to non-subscribers. A flat rate is charged on the system to its subscribers, and as a consequence of this the company does not make an additional charge to a subscriber who makes a long distance call to a point on the Bell lines. The applicant states that it considers that the Bell Company should pay a line charge on its system, and says further that it cannot see why the Bell Company should not be responsible for the collection of same when the messages originate on their system, whether the subscribers of the applicant company pay a line rate or not. The applicant company thinks it assumes sufficient responsibility when it becomes responsible for the Bell long distance line rate in respect of a call originating on the Applicant Company's system.

In reply, the Bell Company states that it does not consider that the fact that the applicant subscribers pay a flat rate per annum is relevant to the discussion. It further states that if the Bell subscribers are to be charged "another line" fee on inward calls to the applicant's system, while the applicant's subscribers are not to be charged a similar fee on outward calls, it is apparent that there will be an unjust discrimination in favour of the subscribers of the applicant's system; and it states that while it

is not particular as to whether the other line charge on long distance connection with the applicant company should be continued, if the applicants desire such another line charge on long distance calls inward from Bell points, it is proper there should be a similar charge on outward calls to Bell points.

It will be noted that the applicant considers that the Bell Company is in the same position as a non-subscriber.

In summing up its position, the applicant company submits the following questions for answer:—

> "First. As we are only asking the Bell Company to collect for messages originating on their system from those who must pay same either in or out on our system, is the Bell Company not bound by Clause 8 to do so?
>
> "Second. If the Bell Company is not bound to do so but rather refuses to do so, are we as a company not relieved of any responsibility *re* the collection of their charges where the messages originate on our system?"

Clause 8 was one which was arrived at by consent of the parties in the hearings which led up to the issuance of General Order No. 114 as it now stands. Where there are explicit words of consent, these speak most authoritatively as to what the intention was. In the printed draft agreement which was before the Board during the hearing, Clause 13 read as follows:—

> "That the charge for each message or conversation transmitted to or from points on the System of the Proprietor and to or from points on the System of the Bell Company other than shall be the established long distance rates of the Bell Company, plus the Proprietor's charge of each party to retain its own charge."

During the course of the hearing, the following words were added, "and the party upon whose line the call originates shall be responsible for such charge." The amended clause then read:—

> "13. That the charge for each message or conversation transmitted to or from points on the system of the Proprietor and to or from points on the system of the Bell Company other than shall be the established long distance rates of the Bell Company, plus the Proprietor's charge of each part to retain its own charge, and the party upon whose line the call originates shall be responsible for such charge."

When this clause 13 was before the Board at its hearing in Toronto on February 10, 1912, its significance was explained by Mr. Sise for the Bell Telephone Company. His statement was in substance this: there should be a charge for each message or conversation transmitted to or from points on the system of the Proprietor, and to or from points on the system of the Bell Company, such charge to be the established rate of the Bell Company plus the Proprietor's charge. He stated that the practice in a great many cases had been for the local company not to charge its subscribers in a case of an out-going message. Continuing, he said that where the Bell Telephone Company collected 15 cents on a call from Toronto to a place and turned it over to a local company, the situation was that the rate inbound was the Bell long distance rate plus this 15-cent charge, while the subscriber of the local company in telephoning out paid only the long distance call to the Bell. This was stated to create a discrimination; and it was submitted that it ought to be stipulated it should be collected both ways when enforced at all.

Counsel for the Independent Telephone Companies, on being questioned by the Chief Commissioner as to his position in regard to the matter, stated that he saw no objection to the situation being handled in the way set out in the proposed clause.

Further discussion took place in regard to the matter of collection, and it was agreed that in order to make the matter clear the following words should be added to the clause:—

> "and the party upon whose line the call originates shall be responsible for the collection of such charge."

It would appear that the intent of clause 13 of the original draft agreement is now contained in clause 8. Clause 8 in its present form was also agreed on by the parties.

In view of the history of the clause, it appears that the intention was that the obligations in respect of the other line charge should be mutual; that is to say, if the Bell Company is asked to collect the charge of the applicant company in respect of the message originating on the Bell Company's line, the applicant company must similarly collect in respect of a message originating on its own line; and this obligation attaches to all calls. The choice is between this mutual obligation in respect of all calls and the situation where the Bell Company has no obligation to collect in respect of a call terminating on the lines of the applicant company.

What has been said answers question No. 1 of the applicant company, and this answer to question No. 1 obviates the necessity of answering question No. 2.

Reported in 18 Can. Ry. Cas., 325.

Chief Commissioner Drayton, Assistant Chief Commissioner Scott, Deputy Chief Commissioner Nantel, and Mr. Commissioner Goodeve concurred.

LONDON RAILWAY COMMISSION AND GRAND TRUNK RAILWAY COMPANY RE OPERATION LONDON AND PORT STANLEY RAILWAY BY ELECTRIC POWER OVER GRAND TRUNK RAILWAY TRACKS IN LONDON.

Judgment, Chief Commisioner DRAYTON, May 21, 1915:

The application of the London Railway Commission for an Order allowing the London and Port Stanley Railway Company to operate cars and trains propelled by electric power over Grand Trunk tracks in London, and to Grand Trunk station at that point, was dealt with in the memorandum of April 17, 1915.

As a result of the disposition then made, the Commission filed with the Board, on April 21, its application, made under the provisions of Section 176 of the Act, for leave to take possession of and use and occupy certain property belonging to the Grand Trunk Railway, described as follows in the application:

> "A forty (40) feet strip between Wellington and Clarence streets, immediately north of Bathurst street."
>
> "A strip of land fifty (50) feet wide, from Clarence street westerly, immediately north of Bathurst street, for a distance of two hundred and seventy-two (272) feet three (3) inches."
>
> "To the west of the above, a strip of land eighty (80) feet wide for approximately a like distance, or to the easterly limits of Richmond street, and immediately north of Bathurst street."
>
> "All in the City of London, Ont.; giving the London and Port Stanley Railway a frontage on Richmond street, for the purposes of its station, eighty (80) feet in width. The London Railway Commission desires this property for the purposes of serving its terminals in London, for passangers, baggage, express, and milk."

Other questions were referred to in the application which will be hereafter considered.

The Company in its answer to the application and dealing with that part of the application under consideration, stated that the Commission had asked for too much frontage on Richmond street and that they should be restricted to the frontage now

occupied by the Cook, Fitzgerald Company, which has a frontage of but 57 feet, as against the 80-foot frontage the Commission will obtain should effect be given to its application. The Grand Trunk contend that this 57-foot frontage would be ample for all tracks and buildings required for the handling of the business of the London and Port Stanley Railway, even though it should become 100 per cent larger than is anticipated.

The Commission filed its reply to the Grand Trunk's answer on May 10, claiming that it was absolutely necessary that the Commission should obtain the 80-foot frontage on Richmond street, to enable it to properly provide facilities for the proposed stations, tracks, and accommodation.

On the 18th of May, a further communication was received from the Grand Trunk,—that Company then taking the position that the London Commission have not demonstrated the necessity of the acquisition of any of the Grand Trunk property, and that if the Board thinks there is such a necessity, that the London Commission have not proved the necessity for taking the amount so asked.

The Board's Chief Engineer and Chief Operating Officer have both visited London; and I have also made a personal inspection. Both the Board's Engineer and Operating Officer agree that the request of the London Commission is reasonable, and that the land asked is necessary for the proper operation and development of that Company's London terminals. I may say that I entirely agree with their views,—the Board should adopt them. In my opinion, the amount of land asked is not excessive, and any lesser quantity would interfere with the proper development of the London and Port Stanley Railway, and its future would be checked.

There is also no doubt as to the necessity of that Railway obtaining possession of the land in question for the purpose of its terminals.

An order should, therefore, go, allowing the London Railway Commission, which operates the London and Port Stanley Railway, to obtain possession of the land above described for the purposes of the London and Port Stanley Railway Company, subject to the provisions of Section 176.

The application of the London Commission proceeds as follows:—

> "In order to avail itself of the above property, the London Railway Commission further applies, under Section No. 235 of the Railway Act, for the right to construct and erect track, poles, fixtures, wires, *et cetera*, necessary for the electrical operation of its system, along the north side of Bathurst street, in the said city of London, between its present track at Burwell street on Bathurst street, to connect to the property in respect of which application is hereby made, and as shown by the drawings which accompany this application.
>
> "The London Railway Commission further applies for an order requiring the Grand Trunk Railway Company to re-arrange its tracks on and adjacent to Bathurst street, in the said City of London, between Burwell and Wellington streets, to permit of the construction referred to hereby, and the operating of its trains in connection therewith."

Under the standard practice of the Board, the construction of the railways along public highways is not permitted, except with the consent of the property owners, or except notice of the application has been first served on them and a hearing had for the proper consideration of their interests in case of dispute. In so far, however, as Bathurst street, between the limits of Wellington and Burwell streets is concerned, this highway has already been given over to railway purposes. No property interest is affected, except perhaps, that of the railway companies.

The rights of the Michigan Central, as disclosed on the record, shortly terminate; and the property of the Grand Trunk is not of a character, nor put to such purpose as to make it proper for the Board to provide for the payment of any compensation to that company under the provisions of the amendment of 1911 to section 235. The same

may be said of the Michigan Central, in case their rights are of a more permanent character than the record shows.

I am, therefore, of opinion that permission should be given the Commission to construct and erect poles, fixtures, wires, etc., necessary for the electrical operation of its system along Bathurst street. Details of the construction to be submitted to the Board's Chief Engineer for approval. The construction to be made in such a way as to afford the least possible inconvenience to the proper user of the highway.

The question as to re-arrangement of the Grand Trunk tracks, is one, however, that requires more extended consideration.

That company, in its submission to this question, states:—

> "The taking possession of our track along Bathurst street is a very serious matter as they thereby dispossess us of one of the most valuable team tracks which we have in London. Our officials do not know of any place in the yard where we can provide equally satisfactory facilities to the public as upon this track. I am told that this track has been in its present location for over 45 years. It may therefore be properly presumed that it is there legally and with the consent of the Municipal authorities."

The answer of the Commission upon this point is as follows:—

> "With regard to the Grand Trunk Railway Company's tracks on Bathurst street in the City of London, I am directed by the London Railway Commission to say that they understand that this track was put down without any authority and while the Grand Trunk Railway Company were lessees of the London and Port Stanley Railway. The right to use the track so placed on Bathurst street since the lease between the London and Port Stanley Railway has expired has always been denied by the Corporation of the City of London, so the Commission is informed. At best, the Grand Trunk Railway Company could only claim to be mere licensees, and as such, their license could be at any time and has been revoked. It is not conceded that they even have that right."

At the hearing in Montreal, the status of the Grand Trunk tracks was attacked in general terms, but no evidence was given which would enable the Board to find that the Grand Trunk Company was a trespasser. Beyond all doubt, the Grand Trunk has been in occupation of the tracks in question for a long time, some considerable time before the Railway Act of 1903 and the constitution of the Board; and under such circumstances, I am of the opinion that the onus of establishing the Grand Trunk to be a trespasser lies upon the commission. If these tracks were not useful tracks and required by the Railway Company and needed in the public interest at London, the matter could be dealt with in a different manner; but the Board's officers state that these tracks form a necessary part of the accommodation for traffic that the public enjoys at London, and that, as ordinary team tracks, running rights, if granted the London and Port Stanley over them, would defeat the object for which they are maintained. This result, however, makes no real difficulty and does not prevent in any way the project of the London Commission from being carried out.

At the hearing in Montreal the following occurred:—

> "Sir Adam Beck: However, if that is so we can come over on the Michigan Central Railway.
>
> "The Chief Commissioner: It is just as easy to use the Michigan Central Railway?
>
> "Sir Adam Beck: Yes."

and a pencilling was made at the time on the plan, showing that connection in this manner could be made very cheaply and easily.

I am of the opinion, therefore, that that part of the application which requires the re-arrangement of the Grand Trunk tracks on Bthurst Street, and which in effect

would mean the elimination of those tracks, cannot be granted. On the other hand, there is no objection to the use of the existing track of the Michigan Central in the manner pointed out by Sir Adam Beck at Montreal, and the order will provide for such construction according to a plan to be submitted to and approved by the Board's Chief Engineer.

A further application has been made by the London Railway Commission under file No. 25649.3,—the application being filed April 21, 1915.

The application is made under Section 235 of the Act, for permission to construct team tracks on the north side of Bathurst Street from the junction of the London and Port Stanley tracks on Bathurst Street, near Burwell Street, east to Adelaide Street.

The consideration involved in this case is of a single line on Bathurst Street for a distance of 1,750 feet. There are no existing tracks on Bathurst Street at this point.

The application also asked for a second track between Wellington and Richmond Streets.

Bathurst Street, in the latter area, may be looked upon as already more or less subjected to railway use, and the property is of such a character that as already pointed out, the Board ought not to place the burden of any alleged damages on the Commission, under the amendment of 1911. In so far therefore, as this particular track is concerned, I am of the opinion that it may be authorized.

The Commission in its application also desires to lay tracks on Bathurst Street from Richmond Street to Thames Street, a distance of some 1,700 feet. This part of Bathurst Street is at present unencumbered with railway tracks. The result is that the construction from Burwell east to Adelaide and from Richmond west to Thames Street is in exactly the same position.

On the 30th of April, the Board received a letter from the City Clerk stating that he was instructed by the Council to acknowledge the receipt of the application of the London Commission to lay the tracks. No consent is filed at all, either by the city or by property owners; and the property owners have not been notified. No order should, therefore, be now made in so far as these tracks are concerned.

If the City Council consents and if the owners of property fronting on Bathurst Street where the new railway construction is proposed, also consent, an order may then go. If, on the other hand, the property owners object, after being all served and a proper book of reference filed showing the owners of this abutting property, the matter will be disposed of at a sitting held in London for this purpose.

Deputy Chief Commissioner Nantel and Mr. Commissioner Goodeve concurred.

COMPLAINT OF MR. C. M. SINCLAIR OF BRIDGEBURG, ONTARIO, AGAINST FREIGHT RATE CHARGED HIM ON SHIPMENT OF HOUSEHOLD EFFECTS FROM KINGSVILLE, ONT., TO BRIDGEBURG, ONT.

Judgment, Mr. Commissioner McLean, May 22, 1915:

Complaint is made that on a shipment of household effects from Kingsville, Ontario, to Bridgeburg, a rate of 36 cents was quoted by the agent of the Pere Marquette Railway at St. Thomas. It is further set out that when the goods arrived at destination the charges on the shipment were $4.10 instead of $1.80, and applicant asked for refund of $2.30.

While the rate was quoted by the Pere Marquette, it appears that the goods moved via the Windsor, Essex and Lake Shore Rapid Railway. This railway is an electric line and does not operate beyond Kingsville. Apparently the goods were delivered to the Canadian Pacific at Lake Shore Junction and by that line delivered to the Grand Trunk at London. The rate from Kingsville to London in connection

with the Canadian Pacific is 30 cents per 100 pounds, by tariff C.R.C. No. 6. From London to Bridgeburg, the rate is also 30 cents. This rate is carried in Grand Trunk tariff C.R.C. No. E-1729. The expense bill shows an additional charge of 50 cents which was apparently for cartage from the Canadian Pacific to the Grand Trunk at London.

The shipping bill issued by the Windsor, Essex Railway has the weight as 500 pounds, this being subject to correction. It is stated this was the estimate of weight made by the drayman. On the Grand Trunk expense bill, the weight is set out as 600 pounds.

The Windsor, Essex Railway states that when the goods were presented for shipment, the consignor was informed that they should be shipped by the Pere Marquette, as there were no through rates to Bridgeburg by way of the Windsor, Essex railway. Notwithstanding this, the consignor insisted that shipment should be made by the Windsor, Essex Railway. They were, therefore, accepted for shipment, the bill of lading being made out under the supervision of the consignor, it being signed by the drayman as shipper.

The railway company states that it is willing to abide by any decision the Board may arrive at after taking into consideration the facts.

On the statement of the case presented by the railway company being submitted to the applicant, no exception was taken to it by the applicant. The applicant states he has no intention of inquiring how the consignor came to ship by the Windsor, Essex railway, and he states in substance that all he is concerned with is the fact that "the regular rate" of 36 cents was not charged.

It may be that the consignor in shipping by a route over which through rate was not available did not clearly understand the significance from the point of charges of the lack of a through rate. But while she thus erred in choosing a route over which a through rate was not in existence, she gave the shipping directions after she had been advised to the contrary by the railway company over which she proposed to ship.

But when the goods were delivered to the Windsor, Essex Railway, the obligation was on it, in the absence of specific instructions as to the routing off its own lines, to send the goods forward on the lowest rate combination available.

The Canadian Pacific has a through tariff in connection with the Michigan Central from Lake Shore Junction to Bridgeburg of 36 cents per 100 pounds, first-class, per tariff C.R.C. No. E-2774, and the local first-class rate from Kingsville to Lake Shore Junction per Windsor, Essex and Lake Shore Rapid Railway tariff C.R.C. No. 77 is 16 cents per 100 pounds. Had this routing and combination been applied, the through rate would have been 52 cents per 100 pounds and the charges would have been $3.12 instead of $4.10.

Adjustment accordingly should be made.

Reported in 18 Can. Ry. Cas. 344.

Assistant Chief Commissioner Scott concurred.

REDUCED FARE TICKETS ON QUEBEC AND LAKE ST. JOHN RAILWAY.

Judgment, Assistant Chief Commissioner SCOTT, June 17, 1915.

For many years the Quebec and Lake St. John Railway Company sold 10-trip tickets, for use between Quebec and St. Catherine Station, for $4; *i.e.* 40 cents a trip. Similar tickets were sold to other points on the railway, but St. Catherine may be taken as a typical station. St. Catherine is 21 miles from Quebec. The first class one-way fare is 65 cents, and a week-end return ticket is sold for 90 cents; *i.e.* single fare plus 25 cents. The Company also sells 55-trip tickets, good for one month, between Quebec and St. Catherine, for $8.40. The rate per mile of the 10-trip ticket was 1⁹⁄₁₀ cents, and the 55-trip ticket is ⁷⁄₁₀ths of a cent. By Supplement No. 6 to its Local

Passenger Tariff No. E-83, C.R.C. No. E-19, effective September 19, 1914, the Company cancelled its 10-trip tickets to Lake St. Joseph, St. Catherine and intermediate points. Mr. H. W. Brown, has applied to the Board for the re-establishment of these tickets.

When these 10-trip tickets were first issued the Company possessed a Provincial Charter merely, and was not under the jurisdiction of the Dominion Parliament. Subsequently, it came under the control of the Canadian Northern Quebec, and became subject to the jurisdiction of this Board. While the Company was under the jurisdiction of the Province of Quebec an Order was made by the Quebec Public Utilities Commission, on the application of the Railway Company, limiting the use of the 10-trip tickets to the period between the 1st May and the 31st October in any year.

A large number of residents of Quebec have built summer cottages at St. Catherine and other points to which these 10-trip tickets were available, and it is contended that the existence of these tickets was one of the inducements which led to the expenditure of large sums of money in the construction of summer residences at points to which these tickets were available. Those desiring to have the sale of these tickets re-established contend that because they have spent their money in the belief that the 40-cent rate to St. Catherine was to be a permanent one, the Railway Company should not now be permitted to discontinue the sale of these tickets. The Railway Company, similar to other railway companies under the jurisdiction of the Board in Eastern Canada, has filed a standard passenger tariff showing a maximum one way fare of 3 cents a mile, and the 65-cent first-class fare is on this basis.

This Board has on a number of occasions affirmed the principle that it will not order a railway company operating its trains by steam, to establish a passenger rate less than its standard rate, unless it can be shown that an undue or unreasonable preference or advantage has been given to any particular description of traffic; or that unjust discrimination has been shown to exist between different localities under substantially similar circumstances and conditions. I do not see anything in the present case to dissociate it from the principle we have been following. There was no contract with any of the parties who built summer cottages that if they established summer residences on the line of the railway that they would forever be given these 10-trip tickets; nor was there anything in the proceedings before the Quebec Public Utilities Commission which would estop the Railway Company from taking out the rates in question. The statement of the Railway Company's financial position shows that it has been operated at a loss for many years. The contention of the Railway Company is that the 10-trip tickets at the rates at which they have been sold are unremunerative.

On the evidence presented it does not appear to be incumbent on this Board to order the Company to re-establish the rate in question. Therefore, the application should be dismissed.

Mr. Commissioner Goodeve concurred.

CONDITIONS RESPECTING THE SHIPMENT OF FLAX SEED IN BULK.

Judgment, Assistant Chief Commissioner Scott, June 18, 1915:

The Northwest Grain Dealers Association has complained to the Board against the provisions of Supplement 3, effective October 12, 1914, to Canadian Pacific Railway Special Tariff on grain and flax seed to Fort William, C.R.C. No. W. 1962, relating to the shipping of flax seed in bulk, which reads as follows:—

> "Flax seed will be accepted for shipment in bulk only at owner's risk of leakage. When ordering cars shippers should notify station agent of their intention to load flax seed. Shipping order must carry notation 'Loaded in bulk, subject to Rule 9A,' this notation to be signed by the shipper."

The shipment of flax seed in bulk was regulated prior to this tariff by Canadian Pacific Railway Tariff C.R.C. No. 1962, effective September 1, 1914; Rule 9 being as follows:—

Flax Seed in Bulk.

"Box cars will not carry flax seed in bulk without loss by leakage. Flax seed may be shipped in bulk, provided shippers assume any expense incidental to preparation of car for bulk loading. Shippers should notify agent that they desire car for flax seed shipments. Shipper's order to carry notation. 'Loaded in bulk subject to Rule 9' and signed by shipper."

The new conditions which became effective on October 12 last, which the applicants seek to have cancelled, places the responsibility for leakage in all cases on the shipper. Under the old tariff the company was responsible for leakage, provided the shipper assumed the expense incidental to the preparation of the car for bulk loading. Flax seed is, undoubtedly, a difficult commodity to ship in bulk; the seed being small and slippery. It usually takes a rate of 1 cent per 100 pounds over wheat. I do not think that is because it is more difficult to handle than wheat but because it is more valuable. Box cars can be prepared to carry flax seed in bulk without danger of ordinary leakage by lining them with paper. Box car linings are now supplied by a paper manufacturer. Paper lining for a car costs about $2. In the same tariff C.R.C. No. W. 1962, the company have an item on page 10, in connection with its elevator rates, as follows:—

"For preparing cars for flax shipments, two dollars for each car."

This special toll has been carried in the Company's tariffs since September, 1912. It has, therefore, been recognized by the railway company for some time that cars can be lined so as to prevent flax seed leakage, and that $2 is a fair charge for lining a car.

It was contended by the applicants that the tariff condition complained against, not having been authorized by the Board pursuant to Section 340 of the Railway Act, was void; but the Railway Company pointed out that the Canadian Freight Classification, which had been approved by the Board, provides for the carriage of flax seed at owner's risk, whether in bulk or in bags. This classification is made to apply to all Canadian tariffs by Section 321 of the Act, although in the working out of transportation conditions proper exceptions thereto may be included in special tariffs. The provisions of the classification having been approved by the Board, the requirements of Section 321 of the Act have been satisfied.

The Company has evidently not considered itself relieved from responsibility for leakage by its protective tariff provision, since it has paid many substantial claims for loss due to leakage during the time it has been in force.

This effort on the part of the Railway Company to relieve itself under all circumstances from liability for leakage is not found in the tariffs or classifications effective in the United States so far as I have been able to ascertain. The tariff of the Great Northern Railway Company from shipping points in Minnesota, and the Dakotas to St. Paul, Minneapolis and Duluth is identical with the Canadian tariffs in existence prior to the one now complained of.

The three great classifications which cover the whole of the United States have the following provisions respecting the matter under consideration. The Western and Southern read:—

"Flax seed in packages, or in bulk in cloth or paper-lined cars."

And the official provides that:

"Flax seed will only be taken in bulk when cars are securely lined by or at the expense of the consignor."

It seems to me that when the shipper is prepared to assume the expense of lining a car, that a railway company should not be allowed to relieve itself from responsibility for leakage while the car is in its hands and beyond the control of the shipper. We have power, under Section 340 of the Railway Act, to regulate the extent to which the liability of a railway company may be restricted or limited. The present condition is unreasonable and unfair to the shippers. It should be cancelled, and the following, which has been drafted by the Board's Chief Traffic Officer, substituted therefor:—

> "Flax seed will be accepted for shipment in bulk only at owner's risk of leakage, in accordance with Canadian Freight Classification; except that if shippers make written request for cars suitably lined at their expense, such cars will be furnished with the least necessary delay, in which case this company will assume the risk of leakage."

As the railway companies are far better equipped to attend to the lining of the car than the average shipper, the preparation of the car should be done by them. I think the $2 charge for such service, which is made at the terminal elevators, is a fair one.

The question came up at the hearing as to whether flax seed was a grain, and whether it should be shipped on the Bulk Grain Bill of Lading approved by Order of the Board No. 14591, dated 18th August, 1911. From the transportation point of view it is, in bulk quantities, regarded generally as grain, and I think it should be shipped under that bill of lading.

This judgment will, of course, apply to the similar tariffs of the Grand Trunk Pacific and the Canadian Northern Railway Companies.

Mr. Commissioner Goodeve concurred.

IN THE MATTER OF THE LIGHTING OF MAIN LINE SWITCHES AND DISPLAYING OF NIGHT SIGNALS FROM SUNSET TO SUNRISE; AND IN THE MATTER OF THE CANADIAN PACIFIC RAILWAY COMPANY BEING REQUIRED TO SHOW CAUSE WHY AN ORDER SHOULD NOT GO REGULATING THIS MATTER.

Judgment, Mr. Commissioner McLean, June 21, 1915:

Under date of November 27, 1911, Mr. W. L. Best, on behalf of the Brotherhood of Locomotive Firemen and Enginemen, represented to the Board that it was absolutely essential, in the interest of safety, that all switches over which trains are required to pass between sunset and sunrise should have lights burning in good condition, to define the position of switches; and that this was especially important in case of outer main track switches which in keeping with special instructions contained in the time-table define the limits of the yard at that particular station. The complaint as worded had reference to the conditions on the Maniwaki subdivision of the Canadian Pacific Railway Company.

The question of the equipment of main line switches had been heard before the Board at its hearing on May 3, 1910, and representations as to the practices were made. These representations will be referred to later.

Under date of February 12, 1912, the Board issued its Circular No. 81, which reads as follows:—

> Files 9079 and 18767, lighting of main line switches.
>
> "I am directed by the Board to call the attention of railway companies subject to its jurisdiction to the fact that on a number of lines where trains are run at night main line switches are not being lighted; also to point out that the rules require night signals to be displayed from sunset to sunrise, and that when weather or other conditions obscure day signals, night signals must be used in addition.
>
> "A. D. CARTWRIGHT,
>
> "*Secretary, B.R.C.*"

Later, in September, 1912, representations were made to the Board that on certain subdivisions of the Canadian Pacific Railway Company in the West trains were being run at night without night signals on main track switches being displayed from sunset to sunrise.

Investigation of the conditions on the ground has been made; representations have been received from the parties affected; and there was also a hearing under date of November 3, 1914, when the question of the lighting of main line switches and displaying of night signals from sunset to sunrise was set down for hearing, the Canadian Pacific Railway Company being required to show cause why an order should not go regulating the matter.

In the discussion and reports before the Board, two sets of questions have been raised; one concerned with the interpretation of the rules, the other with the working conditions on particular subdivisions.

The question of the working conditions may be referred to first. In a letter received from Mr. Murphy, General Superintendent of the Manitoba division of the Canadian Pacific Railway Company, under date of December 2, 1913, the position was taken that Circular 81 was not intended to apply where there was only one train operating on the line; and this contention was supported by reference to a particular subdivision where the train was a mixed one and the running time was slow. It was stated that speed was reduced approaching switches, thereby practically eliminating any possibility of danger arising from the switch being set wrong; and it was also stated that the men were aware that the switches were not lighted, as there was no occasion for it.

Mr. Grant Hall, on behalf of the Canadian Pacific Railway Company, referring, in a letter, to the Reston-Wolsely subdivision on which there was only one train running, stated, that he considered it was not the intention of the rule that an undue item of expense should be placed on the railway, and that an undue expense would be entailed if the railway was required to equip the subdivision in question with switch lights and keep these lighted because one train happened to be running over the line a few hours after dark.

In a later communication from Mr. Hall, the same point as to the intention was raised, it being stated that it could not be held the intention was to apply the requirements as to lights in cases where trains operated only a few hours after sunset, and also where such operation after sunset was limited to two or three months in the year; and it was further stated that no element of danger was presented by such method of operation.

Subsequent to the hearing of November 3, 1914, representations were made by the parties, the Canadian Pacific Railway Company stated that where passenger trains were not run at night, it was unnecessary to display switch lights governing freight train movements. This has reference to the statement already made by the railway that the freight trains were operated at slow rates of speed. The Grand Trunk Railway Company stated that it agreed that all switches on main tracks operated at night should be lighted, and said that instructions had been given accordingly. The Canadian Northern Railway Company stated that it had been keeping the switch lights lighted on all subdivisions where there was passenger traffic. It was, however, of opinion that this was unnecessary where electric headlights were used; and stated that it was opposed to any further extensions of the use of switch lights, and made reference to the alleged serious expense involved, it being considered that this would be a peculiarly unjustifiable burden under existing conditions.

Mr. Best, in his written submission subsequent to the hearing, emphasizes Rules 8, 9, 27 and 104. Rules 9 and 104 are referred to later. Rule 8, under the heading of "Signals," reads:

> "Flags of the prescribed colour must be used by day and lamps of prescribed colour by night."

Rule 27, under the heading of "Use of Signals," reads:

> "A signal imperfectly displayed, or the absence of a signal at a place where a signal is usually shown must be regarded as a stop signal, and the fact reported to the proper officer."

This is identical with Rule 402 which is referred to later.

Mr. Lawrence's submission, put in subsequent to the hearing, sets out in summary form what was set out at the earlier hearing, emphasizing this, and also refers to Rules 9, 104, and 27, and the definition of Target Signal.

In the hearing which took place on May 3, 1910, Mr. Murphy, in setting out the practice of the Canadian Pacific Railway Company, said that it was the practice of his company to equip all main line switches with lights, and that all branch line switches where there was considerable traffic, even if it was local, were so equipped. At this hearing, the question of the justifiability of some exemptions was raised as to two cases, viz., (1) where the train crew was making regular runs over a given subdivision; and (2) where the train scheduled to get in before dark during the greater portion of the year came in during the winter time an hour or two after dark. Mr. Lawrence, on behalf of the Brotherhood of Locomotive Engineers, said that if a man is on a regular run running on a branch line all the time, he can tell exactly where the switches are, unless there was a very bad storm or fog or something of that kind. He also said that it appeared to him to be reasonable to grant some exemptions in cases where the train arrived just an hour or two after night, and there were regular men on all the time.

In reply to a specific question of the Chief Commissioner dealing with this matter as to trains which came in before dark during the greater portion of the year, and short time after dark during a short period of the year, Mr. Lawrence said:

> "I don't think it will be necessary to light the switches. There are regular men on those lines as a rule and they know the road thoroughly, and I think in those cases there should be exceptions."

The real question, however, which is involved is concerned with the interpretation of the Operating Rules. The railways have engaged in certain practices in the matter of operating which they say are not forbidden by the rules. Reference has also been made to the intention of the rules. As this has been developed, the contention related back to the allegation that the practices complained of do not violate the rules. The rules were put in their present form after lengthy consideration and discussion. It is not to be assumed that the words of the rules were idly chosen. The rules themselves must afford their own canons of interpretation. Statements, which have been made, that, if the practices referred to are not in accordance with the wording of the rules then the rules should be amended in accordance with the practices manifestly throw no light on what the rules mean.

Rule 9 provides as follows:—

> "Night signals are to be displayed from sunset to sunrise. When weather or other conditions obscure day signals, night signals must be used in addition."

The question is raised as to whether this rule has reference to lights on switch-stands. It has been submitted by Mr. Grant Hall that the rule was not intended to cover lights on swith-stands, because it referred to fixed signals, under which definition switch lights would not fall.

A similar position was taken at an earlier date by Mr. Beatty on behalf of the Canadian Pacific Railway Company.

Rule 403 provides:

> "Lights must be used upon all fixed signals from sunset to sunrise, and whenever the signal indications cannot be clearly seen without them."

In the table of definitions, under the heading of "Fixed Signals" the rule defines a "Target Signal" as follows:—

> "A disc supported in such a way that it may stand either parallel with or at right angles to a track on which it governs movements. The indications are given by the position of the disc. At night, an additional indication is given by lights of prescribed colours corresponding to the position of the disc."

The definition of "Disc Signals" as as follows:—

> "A device consisting of a disc so supported that it may be displayed to view or withdrawn. The indications are given by the position of the disc. At night, an additional indication is given by lights of prescribed colours corresponding to the position of the disc."

It will be noted that in respect of the definitions of Target Signal and Disc Signal, the second and third sentences of the two definitions are identical.

Then, again, in the last paragraph of the Act of definitions already referred to, the following statement is set out:—

> "Whenever a fixed signal is used of any form other than those herein prescribed, the rules governing its observance will be found in the time-table."

Mr. Hall, in a communication on file, states in substance that Rule 403 may be wide enough to stand the construction that switch lights fall within the reference to fixed signals therein contained; but he considers that the reference to Fixed Signals in the rule in question is more particularly concerned with fixed signals governing the movements of trains through junctions, interlocking plants, draw-bridges, railway crossings, etc.

On reference to Rule 402, this rule reads:—

> "A signal imperfectly displayed, or the absence of a signal at a place where a signal is usually shown, must be regarded as a stop signal, and the fact reported to the proper officer."

Continuing, he says, that as in the case of the subdivisions of the Canadian Pacific which were concerned, it was not the practice to use lights on the switches referred to, therefore Rule 402 would not apply. This, however, it is manifest does not touch the question as to whether the switch targets are fixed signals under Rule 403, thereby necessitating the use of lights between sunset and sunrise.

In the hearing on November 3, 1914, Mr. Leonard, for the Canadian Pacific Railway, claimed that the railway company had an option in the matter. Rule 104 was referred to; the first paragraph of this reads:

> "The target of a switch parallel with the main track or a green light indicates the switch is set for the main track; the target at right angles to the main track or a red light indicates the switch is set for a diverging track."

In substance, Mr. Leonard's contention was that under this rule the railway had the option as to whether the indication should be given by a target or by a light. Mr. Lawrence asked how the target could be seen at night. Mr. Leonard said it was optional just the same so far as switches are concerned. Mr. Lawrence said there was a full understanding that there should be a target in the daytime and a light at night. Mr. Leonard admitted that was so in the case of fixed signals, but he said a switch light was not a fixed signal.

The question of the advantage of a switch light from the point of safety was raised in the course of hearing and various statements were made by railway representatives to the effect that it was of little value. Mr. Fritch, of the Canadian Northern Railway Company, in reply to a question as to whether the switch light was any advantage from the point of safety, said "Not to any extent. The switch light grew out of the old stub switch, but to-day you can tamper with the split switch and leave it open and turn

the light, or have it partly open, which is just as bad as to have it entirely open and the switch light show clear." This, of course, does not bear on the question of the meaning of the rules.

While questions have been raised as to particular subdivisions and as to the cost which would be involved by particular methods of operation upon these subdivisions, the question that has now to be dealt with is the interpretation of the rules, as they are, in regard to the obligations in respect of the lights on switches. The question of the expediency of the relaxation of the rules in particular cases is an entirely different matter, and is one concerning which there is no provision in the rules.

In what has been quoted, Rule 403 clearly sets out what are the obligations in regard to lights on fixed signals. Does a switch light fall within the wording of this rule? The definition of Target Signal is one which is no doubt not limited to target signals on switch-stands alone, but it is clear that it includes such signals. The target signal on a switch-stand is supported in such a way that it may stand either parallel with or at right angles to the track, and it is equally clear that it has a governing effect upon movements on the track with which it either stands parallel or at right angles to.

Rule 104 has been referred to as showing that it is optional with the railway as to whether there shall be a light; but in view of the statement in the last sentence of the definition of Target Signal, viz., "at night an additional indication is given by lights of prescribed colours corresponding to the position of the disc," and the reference in Rule 403 to the necessity of lights on fixed signals being used from sunset to sunrise, it does not appear to be necessary to pursue the matter any further as to whether there is an option under Rule 104 or not.

Circular No. 81 referred to main line switches. Some question was raised as to the distinction between main line and branch line movements. The Canadian Northern, in a submission made by it, said that technically Circular 81 covered only main lines, not branch lines, but that they had not taken advantage of this.

The wording of the Circular should be amended by substituting the words "main track" for the words "main line." Rules 87 and 88 refer to main track, not to main line. By the definition contained on page 8 of the Rules, main track is distinguished as follows:—

> "A track extending through yards and between stations upon which trains are operated by time-table or train order, or the use of which is controlled by block signals."

The obvious intention of the Circular was to deal with the running track irrespective of whether this was on a branch line portion of the system or a main line portion of the system.

What has been said will serve to make clear the meaning of the words as they at present stand.

There has been set out at length the representations made as to there being justification for exemptions. In the hearing on November 3, 1914, Mr. Lawrence, who, as has been indicated in the earlier hearing, acquiesced in the position that some exemptions might under some conditions be justifiable referred again at page 5297 of the evidence to what had taken place in the former hearing in this regard.

As has been pointed out, what the Board is now concenred with is what do the rules mean in regard to the points in question. The rules, as they stand, do not provide for the special conditions which, it is urged, justify certain exemptions from them. Whether there is justification for the exemptions, or any of them, is a matter which cannot be dealt with in terms of a general rule of the Board. If the matter is to be dealt with at all, each case must be dealt with on its merits, after application received specifically setting out the exemptions asked for and the reasons therefor. Opportunity would at the same time have to be afforded the parties interested to make their submissions.

Chief Commissioner Drayton and Assistant Chief Commissioner Scott concurred.

SESSIONAL PAPER No. 20c

CUNEO FRUIT AND IMPORTING COMPANY V. GRAND TRUNK RAILWAY COMPANY RE ALLOTMENT OF SPACE AT FRUIT MARKET.

Judgment, Chief Commissioner DRAYTON, June 23, 1915:

This case concerns the complaint of the Cuneo Fruit and Importing Company, Limited, of Toronto, Ont., in respect of a discrimination alleged to have been practiced by the Grand Trunk Railway Company.

The Complaint originates by a letter of Messrs. Denton, Grover & Field, of March 16, 1915, which in part reads as follows:—

"Our client has its head office at 67 Colborne street, Toronto, and has a very large business in importing, selling, and distributing fruit from various parts of the world. The freight charges paid to the Grand Trunk Railway last year would probably approach pretty well on toward $40,000.

As you are aware no doubt, the Grand Trunk Railway has a fruit market in the old Western Railway Station, at the foot of Yonge street, Toronto, stalls or rather sections of which it leases to its favourite customers who are in the fruit business to the exclusion of at least one other fruit dealer, that is our client.

Canadian fruit, during the summer season, comes into this station for the benefit of those, who have leases in the fruit market from the railway, and these dealers obtain the fruit fresh from the cars, expose it to retail dealers in this fruit market and deliver it direct therefrom to the purchasers. This is the only railway fruit market in Toronto, and therefore, none but those who have sections therein can carry on business in Canadian fresh fruit. Much of the Canadian summer fruit is the most perishable of merchantable commodities, and must reach the consumers almost the day that it is gathered.

The same fruit market is used rather earlier in the season for the same perishable fruit from the United States. Some of the perishable fruit, and including some vegetables, comes in packed in ice, and no wholesale merchant can deal in the same, unless he has an opportunity of doing so in the fruit market.

Our client is, therefore, by its exclusion from the fruit market, unable to deal in the summer fruits of the United States, and the summer fruits at a little later season from the Canadian orchards.

By a system of promises never implemented by effort of any kind, the Grand Trunk Railway officials have prevented our client from obtaining any space in the fruit market, and our client is, therefore, shut out in Toronto from the Canadian fruit business.

Interviews have been had by our client with the Grand Trunk Officials. Such interviews were always most pleasing in the promises that the officials would give. Letters, too, have been written by these officials, intimating how desirous they are of giving our client an opportunity of sharing the facilities at the fruit market. Five years have now passed since these promises were first made, and for five successive years the promises have been reiterated. The allegation is always the same, and that is that there are no vacant sections. Several vacancies have occurred in the stalls during the five years, and notwithstanding the promises made by the officials of the Grand Trunk Railway, these stalls are immediately filled by others who are friends of the railway.

Our client, and we share in its views, considers that it has been unfairly treated, and has been prohibited during all these years from sharing in the early United States summer fruit trade, and in the Canadian summer fruit trade, during the summer months at the Toronto market.

".....Probably the Grand Trunk Railway Company are in a position to explain something about the Toronto Wholesale Fruit and Produce Association, if such an association still exists."

The reply of the Railway Company received by the Board on April 13, is as follows:—

"It would not appear that the complaint is one with reference to facilities which the company is bound to provide under the Railway Act or which would come within the jurisdiction of the Board. Subject, however, to that objection we have no disinclination to explain the state of affairs to the Board and the complainants.

The Grand Trunk have for years assigned the old Great Western shed at the foot of Yonge street to the fruit traffic. Originally, only the northern portion was used, but the growth of the business, and the demand from time to time on the part of the occupants for additional space, finally rendered it necessary to utilize the northern portion as well as that of the south side of the tracks. A flat rate of 10 cents per square foot is charged to each occupant for the space occupied.

The space has been allotted so far as possible to the different dealers and on the opening of each fruit season, say, around May 15, or June 1, has been re-allotted to the occupants of the previous year, although generally speaking, not without considerable friction through the constant clamouring for additional space on the part of those in occupation.

Since Cuneo & Company originally made application to us ,it appears that other firms have obtained space by transfer of that held by the then existing occupants, but these transactions have represented arrangements made direct between the holders and the applicants, and not with any knowledge of the Railway Company. As a matter of fact, the consent of the Railway was really unnecessary, having in view the fact that the space occupied was not under lease arrangements. In this respect, however, it is submitted that the Railway Company did not in any way practice discrimination, as had Cuneo & Company made arrangements either by lease or purchase for the transfer of the business conducted by any of the occupants, there would have been no objection on the part of the Railway Company to their taking possession of the space assigned to such firm in the shed.

"The reference to the nationality of a firm, is a feature in which the Railway Company is not concerned, the patronage of any foreign interest being equally as valuable to us as others, and appreciating the extent of the business of the applicants, we desire to afford them the same privileges and facilities as we do any other patron, consistent with our ability to do so.

"The Railway Company regrets its inability to meet the requirements of the fruit trade as a whole, but the proposed readjustment of the terminals, has for the time being, set aside the possibility of any re-construction of the existing facilities for the handling of fruit.

"The company has no knowledge whatever of a Toronto Fruit Association, in respect to any connection such an organization may have with the operation of the Yonge Street shed."

The case was heard at a Sittings of the Board held in Ottawa on April 20, 1915, judgment being reserved, to enable Mr. Denton, who appeared for the complainant, to file an argument on the question of jurisdiction.

I first deal with the facts.

The railway company's contention as to the manner in which space is allotted is that the space has been re-allotted each year and that the requirements of the former lesses were always first considered, and that these requirements exhausted all the available space; and that while, since the request of the applicants for space was first made new firms have obtained space, as a matter of fact, they only obtained it by transfers to them from the former occupants, the company, in such instances, considering them as substitutes for the old tenants.

In the letter, however, of the fruit company filed since the hearing of date May 1, 1915, that company points out that the railway company, in its letter of April 12, stated that originally only the northern portion of this shed was used, the fruit company alleges that this was the condition when their first application was made five years ago, and that since the date of their application space has been granted in the formerly unused section to no less than eight firms, which are set out by name by the fruit company.

The railway company has not in any way answered this allegation; and I find as a fact that the railway company have, since the first application was filed by the applicant fruit company, rented space to others which the railway company could, had it chosen so to do, have rented to the applicants.

Mr. Laure, the former manager of the company, gave evidence at the hearing as to the use to which the shed in question is put.

He states:—

"The position is simply this, Mr. Chairman: The whole of the fruit trade of Toronto is centred in that one spot, the wholesale fruit trade. The whole of the cars run into that spot.

"By the arrangement the Grand Trunk have made with the commission merchants of Toronto, numbering, I think, 17, they have been granted the facilities of not only unloading but also selling on this spot. The spaces are not partitioned off but they run from post to post along the building, and they put up their signs there and offer the fruit for sale.

"I joined the company in 1910, the year they started. We went down and viewed the space, and I must say we received the utmost courtesy from the Grand Trunk. They said to us at once, you are too late for it this year, but we shall have great pleasure in granting you space next year.

The Chief Commissioner:

"Q. You have been carrying on business, although you have not got in there?—A. For five years.

"Q. And to what amount or to what extent have you been carrying on business?—A. I suppose our turn-over is about a quarter of a million.

"Q. That is quite a large business. Did you get that in Toronto?—A. That is in Toronto.

"And how did you manage, how did you handle your wholesale shipments?—A. We had to go on the track and unload the stuff on the track; go down and get hold of the cars and bring them from the fruit market to the track. Naturally that discriminated against us.

"Q. Naturally the buyers do not want to go down to the track?—A. No, we have to give a concession to them to get them to come down.

"Q. Your difficulty is then, as I understand you, that the other point being the general point for delivery, the buyers are all collected there and you lose money in getting the buyers to go down to the outside place?—A. Exactly. That is the whole trouble.

"Q. Is your business entirely in car lots—A. Largely in car lots, but we split a great many up of course.

"Q. That depends on the buyers?—A. Depends entirely on that.

"Q. Then you sell what you can out of the car and then you have to be at the expense of taking what is left to your warehouse instead of puting it off at the adjacent spot?—A. Yes.

"Q. In addition to that one man has his buyers right at the fruit market, while you have to go and drum them up?—A. Yes, that is right. The whole of the market there early in the morning is surrounded by the carts and wagons

of the different customers of the wholesale fruit sellers. They do not want to go three-quarters of a mile up the track to fetch our fruit. They say no, unless there is a concession it is not worth our while to go that distance.

"Q. Where abouts are your cars usually spotted?—A. Placed, do you mean?

"Q. Yes?—A. They are placed usually, sometimes just outside, sometimes up to Bay street, and sometimes even beyond Bay street, sometimes further towards the east.

"Q. The nearer they are to the market the better for you?—A. Yes.

"Q. And when you say you sometimes get them just outside the market, why is it you do not always get them there?—A. There is always the possibility of shunting operations. They cannot be always at the same spot.

"Mr. CHISHOLM: You get them there quite often, though, between Yonge and Bay and between Yonge and Scott?—A. Oh, yes."

The railway company, in its further submissions made since the hearing, claims that, on taking the matter up further with the officials, it found that it would be quite impossible to make arrangements to supply the complainant with accommodation; that the fruit is not all handled through the fruit shed; that a considerable portion of it is taken delivery of from the cars direct on the Esplanade between York and Cherry streets, a distance considerably less than that mentioned by Mr. Laure, who the company state claimed that he very frequently had to go three-quarters of a mile for his goods; that it is estimated that there is not 5 per cent of the fruit and vegetables handled in Toronto taken care of through the shed; and the company states that, on July 30, when fruit shipments run heavily, out of 35 cars of fruit going in, 32 care were handled on the outside and only three in the shed; and, on July 31, out ou 46 cars, 44 were handled outside and two in the shed,—the figures in each instance not including express cars, which were handled through the shed, but which were stated, in any event, not to exceed 5 or 6 cars a day.

The answer of the fruit company on this head very clearly shows the real issue in the case.

"We were most careful in stating that the G.T.R. Co. placed the cars on track as conveniently as the exigeneies of switching would permit and it was only in answer to questions by the Commissioners that the statement was made that longest distance apart would be about three-quarters of a mile, which is substantially correct. This, however, was not the point at issue, as the Commissioners readily recognized, and it is only drawing a red herring across the track to bring it up, *the inquiry being instituted to discover why we alone of the wholesale importing fruit houses of Toronto were persistently shut out of the facilities of the fruit shed, or, in other words, of the actual wholesale fruit market of the city,* while others with an infinitely smaller trade were admitted after our application was on file.

" . . . Without going into the question of the percentage handled by them inside and outside the shed, they keep in the background the fact, of which any of their officials connected with the Yonge Street freight depot are aware, that if 5 per cent only is *unloaded* out of cars in the shed, 95 per cent of the fruit arriving in Tornoto while the fruit shed market is open (June to October) *is sold right in that shed;* that all the buyers are congregated there; . . . It is self-evident that practically the whole of the wholesale importing fruit business is done there during these months; the fruit from the cars unloaded outside on the track being carted right into the shed as requirements demand, or sold ex-car on samples shown in the shed."

It is entirely clear that, so far as these submissions of the applicant are concerned, its whole complaint rests on the fact that it has been unable to lease space from

the Grand Trunk in the fruit shed. The case is not one based on any alleged lack of railway facilities as usually understod. The one and only question open for consideration appears to be whether or not the railway company was bound to provide the applicant with space in the fruit shed.

While, undoubtedly, notwithstanding the fact that the Applicant Company appears to do a very large business, it has been inconvenienced and prejudiced in the sale of its fresh fruits, I am, nevertheless, of the opinion that no one has a legal right, apart of course from any question of contract, to *demand* leases, or any particular space in the property of a Railway Company.

At the hearing, it occurred to me that the issue was covered by the decision in the Twin City Transfer Co. vs. Canadian Pacific Railway, 15 C.R.C. 323; and judgment, as already noted, was reserved to give Mr. Denton an opportunity to distinguish between that authority and this case.

Mr. Denton, in his argument at the hearing, relied on Sections 284, Subsections (*a*) and (*b*), and 317 Subsections 2 and 3 of the Railway Act.

With reference to the Twin City case, in the subsequent written submission, he says:—

> "However, that decision was given under another phase of the Railway Act. It dealt with the question of passenger traffic, while sub-clause (*b*) of Subsection 3, of Section 317, of the Railway Act, applies to the question of freight only."

Mr. Denton then proceeds as follows:—

> "The Grand Trunk Railway System does make a difference in treatment in the receiving, loading, forwarding, unloading and delivery of goods of a similar character, in favour of other persons in the Yonge street fruit market against our client, Cuneo Fruit and Importing Company, Limited, and the Railway System also subjects our client to undue and unreasonable prejudice and disadvantage.
>
> The Toronto fruit market, at the foot of Yonge street, is a very large building. It formerly was a railway station. It is not a large building for a railway station, but it certainly is a very large building for a fruit market. All the ground floor of this market is built on a level with the platform of the standard railway freight and express cars, and an opening is cut in this floor, starting at the west end, at the Yonge street entrance, and running about three-quarters of the way eastward through the station, to permit many freight and express cars to come into the market. When the doors of the express and freight cars are opened, all of the crowd of people, who come to purchase, can go through all parts of the station on the same level, and through the cars, and examine the goods in the cars. Accordingly they can do their purchasing at the doors of the cars, and in the cars."

"Traffic," the question dealt with by Section 317, is defined by the interpretation clauses of the Act (Section 2, Subsection 31) to mean the traffic of passengers, goods, and rolling stock.

Under the Act, the statutory duties of the Railway Company to furnish facilities relate, in so far as the terminal station is concerned, merely to the unloading and delivery of the goods, and do not include facilities for their sale—the real question at issue.

If there is no statutory duty then to provide facilities for selling, can it be said that the Railway Company, because it has chosen for a certain remuneration to supply certain dealers with facilities, for the sale of produce and the conduct of their business, that it is subject to a charge of discrimination, because it does not in like manner supply others? In other words, does the accident that the Railway Company happens

to be the owner of this fruit shed, instead of a person or company entirely unconnected with transportation, enlarge in the slightest the legal right of the Applicant Company to carry on business in it? I think not. I am still of the opinion that property owned by a Railway Company is absolutely its property, subject only to those duties, obligations, and servitudes to the public created either by its charter or by the Railway Act. The shed in question at one time was used as a passenger station. It was no longer required for that purpose but another station has been substituted for it. The Act itself specially authorizes companies to discontinue any of their works and substitute others. In so far, therefore, as the so-called "fruit shed" is concerned, until it becomes necessary for the Board, by Order, to direct the use of that property for some special railway purpose, it seems clear that the position of the Railway Company is simply that of any other corporate land-owner.

Discrimination may or may not fall within the provisions of the Act. The Act, as it has always been interpreted by the Board, only forbids discrimination when it is undue or unreasonable. In *re* Western Tolls., 17 C.R.C. 123, pp. 148 to 156.

As I read the Act, before it can be said that a discriminatory practice is unlawful, not only must it be undue and unjust, but it must be practised with reference to some act or practice of the railway company in the discharge of or in connection with its obligations to the public as a common carrier.

It is impossible to say under the Act, as I construe it, that a railway company any more than any other land-owner is guilty of the offence of discrimination under it, with reference to the manner in which it may lease space in an office building it may own, or shops, or stalls in its stations, or again, space in this fruit shed notwithstanding the fact that tracks run into it.

By the use of so-called industrial spurs many shippers enjoy facilities which others do not. The industrial spur is also a facility specially recognized by the Act, but so far it has never been suggested that any railway giving these privileges to shippers in close proximity to its line discriminates against others carrying on business without such advantage, although in competition with shippers who enjoy it.

In addition to the authorities cited in the Twin City Case, reference may be had to Perth General Station Committee *vs.* Ross, 1897, A.C. 479. In this case, the porters of hotels had been allowed the full privileges of the station. These rights, as practised, were curtailed, as alleged by the respondent Ross, solely in view of the fact that the Station Committee had opened an hotel of their own. Lord Halsbury, at page 482 says:—

> "But I am of opinion that the station is absolutely the property of the railway company, and that the rights of the railway company are just as absolute in the first instance as those of any other proprietor."

And Lord Watson, in judgment giving effect to the legal position of the Station Committee, on page 486 says:—

> "The real and only question in the case, namely what legal right has the respondent to use the general station at Perth without the leave and against the will of its proprietors?"

I also refer to Barker *v.* Midland Railway Company, 18 C.B. 46.

The Board is not concerned one way or the other with the question of a local sellers' combination on the one hand or with a United States fruit trust on the other. Other tribunals have complete jurisdiction to deal with such questions.

Although the fruit company in its evidence made out no case for lack of facilities under the Act, the Board had its Chief Operating Officer look into the question of facilities. He reports:—

> "The railway compay furnishes track facilities for unloading and reloading carload shipments between Church and York Streets, having trackage there to accommodate 96 cars. This has proven sufficient."

It should be pointed out that the whole traffic in question, so far as the railway company is concerned, is in car lots.

The findings of fact show that the applicant company has not carried on its business as advantageously and profitably as if it had been able to acquire space in the fruit shed. The legal findings I have felt compelled to make cover questions as yet unpassed on by the Supreme Court, and should the applicant so desire a case will be submitted to that court raising the legal questions considered herein.

Reported in 18 Can. Ry. Cas. 414.

THE WORLD NEWSPAPER COMPANY OF TORONTO *v.* GRAND TRUNK RAILWAY COMPANY *re* TRAIN SERVICE.

Judgment, Chief Commissioner DRAYTON, June 25, 1915:

The World Newspaper Company, of Toronto, complain that the Grand Trunk Railway Company has advised them that the train service which that company has hitherto afforded that company will be withdrawn on the 27th instant.

The complaint shows that for some time previous to October 10, 1914, the three Toronto morning papers, *The Globe*, *The Mail*, and *The World*, sent their newspapers to Hamilton and London on a special train by the Grand Trunk, this train being known as "The Flying Post." This service is said to have cost the newspapers $6,000 a year. The complaint further shows that about June, 1914, the papers were notified by the railway company that it would be necessary to increase the cost of the train to $12,000 a year. The applicant withdrew from the train, but *The Globe* and *The Mail* continued the service, paying $6,000 each a year for it.

Besides "The Flying Post," the Toronto newspapers used another special train to Hamilton, which left an hour later than "The Post" and served Hamilton with a later edition of the morning papers. This train also cost the papers $6,000. Both *The Globe* and *The Mail* withdrew from this latter service last winter, with the result that *The World* has since been at the whole cost of $6,000 in maintaining the later train.

The notice the applicants have now received from the railway company shows that, as a result of the rearrangement of train service, the railway company proposes either to discontinue the later train, the only one now used by *The World*, or charge $58 for the daily service. A very large increase over the former.

The applicant company then applied for transportation on "The Flying Post," and state that they were advised by the railway officials that that train was controlled by *The Globe* and *The Mail*, and that application must be made to these companies. No arrangement has been made between the three companies.

The railway company in its answer in part states:—

> "In the existing and previous time cards there was an unbalanced engine and crew movement at Toronto, that is, an additional eastbound movement into Toronto over the westbound, necessitating the return to Hamilton of an engine and crew light, sometimes with freight, in order to take out the regular passenger train from Hamilton the next day. The utilization of this deadhead movement for the newspaper service assisted us in making the low rate of $500 per month, which is less than 50 per cent per mile one way, the return movement being made with regular passenger train.
>
> "Effective with the change in time card, June 27, our train service has been adjusted, in the interests of the public, by our passenger department, resulting in there being no unbalanced movement of power between Hamilton and Toronto and therefore this deadhead engine and crew is no longer available, of which fact we notified *The World* and stated that if they wanted this train continued

we would have to charge them $1.50 per mile, or $58 per day, as the movement would require payment for mileage in both directions and there was not a light engine moving west available for the service.

"Obviously we could not continue the service at the old rate, which was less than half the cost of the movement of the special train between these two points.

"Special baggage-car service to London on train No. 75, "Flying Post," is now furnished under special arrangement to The *Globe* and *Mail and Empire*, which enables us to balance our eastbound train service as to equipment. The rate of $12,000 per annum we have considered a fair charge, based on the special baggage-car service they enjoy. We have no objection to *The World* using this train to Hamilton upon their paying daily at the tariff rate, including return service, for another baggage car to be run for their exclusive use, similar to the exclusive baggage-car service now furnished the other two papers. This charge would amount to $22 per round trip to Hamilton."

No details are filed with the Board as to service enjoyed by *The Globe* and *The Mail* or the charge made under the contract; but I assume that Mr. Chisholm in his letter referring to "tariff of rate" refers to the tariff rate charged these newspapers for service on "The Flying Post." I can see no reason why *The World* should not receive similar treatment.

Owing to the fact that it is necessary that action should be immediately taken, the Board has not now an opportunity of going at length into the matter; but an order will go directing the railway company to give the applicant company service on "The Flying Post," as suggested in Mr. Chisholm's letter on behalf of the railway company, at the rate of $22 per round trip, as therein quoted, which will make the cost to *The World*, under the new arrangement, six thousand eight hundred dollars, as against the cost which it would have had if compelled to retain the present service as advised by the railway company of eighteen thousand odd dollars.

The Globe and *The Mail* have not, of course, had an opportunity to make any representations to the Board, and the order now made is subject to alteration on application by any of the parties interested, and after hearing has taken place.

RE RATES ON GRAVEL.

Judgment, Chief Commissioner DRAYTON, July 5, 1915:

The issue in this case concerns the movement of gravel to points in the Counties of Lambton, Kent, Essex and Middlesex, from Sarnia, Courtright, Rondeau and Leamington, as well as movements from other water points.

The question was first brought to the attention of the Board at the instance of Mr. J. E. Armstrong, M.P., who desired that low commodity rates should be extended by the Companies to the movements of gravel, so as to enable the many municipalities affected to proceed with the work of general road improvement at a reasonable expense.

Gravel moves under the Freight Classification as 10th class, but takes a special mileage rate of 2½ cents a 100 lbs. for distances up to 10 miles; 3 cents for distances over 10 up to 20 miles; 3½ cents for distances over 20 up to 30 miles; 4 cents for distances over 30 up to 40 miles; 4½ cents for distances over 40 up to 50 miles; 5 cents for distances over 50 up to 60 miles; 5½ cents for distances over 60 up to 70 miles; 6 cents for distances over 70 up to 80 miles; and 6½ cents for distances over 80 up to 90, miles. For distances over 100 miles the rate, of course, is scaled on; but, owing to the length of haul for the movement contemplated, it is unnecessary to consider the rates for greater distances.

The Board required the Companies to propose commodity rates as requested by Mr. Armstrong; and under the proposition that the Companies then made, gravel

could move for distances up to 10 miles at 2 cents; up to 20 miles, 2¼ cents; up to 30 miles, 2½ cents; up to 40 miles, 2¾ cents; up to 50 miles, 3 cents; up to 60 miles, 3¼ cents; up to 70 miles, 3½ cents; up to 80 miles, 3¾ cents; and up to 90 miles, 4 cents.

These rates were unsatisfactory to Mr. Armstrong and the different Municipalities he represented; and Mr. Armstrong made application for rates based upon a gross return to the Companies of 1 cent per ton per mile.

The application was heard at a sittings of the Board held in Petrolea.

At the hearing, Mr. Armstrong, in developing the case, made the great public necessity of improving the highways in the interested counties abundantly clear, as well as the great corresponding benefit that good roads would mean, not only to the farmers in the first instance using them, but also to all kinds of industry, including the railways.

The proposed rates were sought to be justified by comparison of rates on other commodities which the railways themselves had granted, and also on the results of railway operation expressed in the per ton mile rate, as shown by Governmental statistics.

Mr. Armstrong showed that the municipality could buy gravel from the Caldwell Stone & Gravel Company delivered either at Point Edward or at Sarnia at a rate of 35 cents per yard; for Courtright delivery, 40 cents; for Wallacebury delivery, 50 cents; for Chatham delivery, 75 cents; and for Windsor delivery, 90 cents. The Wallaceburg price would seem to be entirely out of line with the Windsor price; and, in view of the difference of the rates at both points, Courtright and Sarnia would seem to be the two shipping points that could be the more economically taken advantage of by the municipalities.

Cheap gravel is also obtainable at Rondeau and at Leamington.

The commodities referred to, and which Mr. Armstrong instanced as having low rates, were manure, coal, cement and hay. Emphasis was laid on the fact that the rate in the case of all these different commodities on the movements given was less than 1 cent a ton per mile.

Mr. Armstrong also read into the record statistics for the year ending June, 1914, as follows:—

Canada Southern Railway, revenue per ton per mile	0·625 cent
Intercolonial Railway, revenue per ton per mile	0·600 "
Canadian Pacific Railway, revenue per ton per mile	0·753 "
Grand Trunk Railway, revenue per ton per mile	0·687 "
Grand Trunk Railway (Canada Atlantic), revenue per ton per mile	0·598 "
Grand Trunk Pacific Railway, revenue per ton per mile	0·641 "
Canadian Northern Railway (in Quebec), revenue per ton per mile	1·227 "
Canadian Northern Railway (outside of the province of Quebec), revenue per ton per mile	0·749 "

These freight statistics are obtained as a result of calculations covering the total movements of all freight on the railways in question; and as gravel, rated as it is in the 10th Class, belongs to the group of commodities representing the lowest earnings, Mr. Armstrong's argument was that in any event it would not be unreasonable to apply to gravel rates yielding 1c. per ton per mile, that being a higher rate than that which the statistics show to be the average of the whole.

Consideration of the usefulness of these ton mile earnings as a basis on which to predicate rates becomes necessary.

Of all the companies whose statistics are given, probably the one doing at the present time the most unsatisfactory business is the Canadian Northern, in so far as its Eastern lines are concerned. The System is new, is as yet uncompleted, and has not a worked-up or balanced traffic. Nevertheless, its earnings as expressed in return of tonnage per ton per mile are the greatest of those submitted. This apparent anomaly

disappears when it is realized that before the ton per mile rate can be any index at all, the tonnage moved must be in the first instance of sufficient volume, and in the second instance the hauls must be of sufficient length to insure proper remuneration.

The Canadian Pacific is often regarded as a line with a well balanced traffic and obtaining good returns. Its return, however, of ·753c. per ton per mile looks small as compared with the operations of the Canadian Northern in Quebec, resulting in a rate of 1·227c. On its face, the return to the Canadian Pacific is but little over $\frac{7}{12}$ths of that enjoyed by the Canadian Northern in Quebec, while the fact is that the lower rate is the result of a really remunerative operation on the one hand against an undeveloped operation on the other.

It is fundamental that the rate per ton per mile decreases as the length of the haul increases, with a result that the rate per ton per mile on a long haul of a high grade commodity carrying a high Classification, might be lower than the rate per ton per mile on the commodity taking the lowest rating moving but for a short distance.

This apparent anomaly is due, of course, to the fact that on a short haul the terminal expenses, which have to be added to the road haul, and which are comparatively constant, very largely increase the rate when expressed by miles.

It has been shown, so far as the Canadian Pacific is concerned (and the results of other companies only differ in degree, depending on terminal operations and road haul on the one hand, and volume of traffic on the other), that 35 per cent of the general transportation expenses are terminal expenses. The average revenue as returned to the Government of ·753c. is, of necessity, based on the average haul, which has been shown to be 380 miles.

Mr. Moule, the Statistician of the Canadian Pacific, in another case showed that while of the transportation expenses 35 per cent were terminal expenses, that an estimate based on the engine mileage of the company showed that 15 per cent of all their expenses would be assigned to terminals, with a result that approximately 28 per cent of all the company's expenses were terminal costs, the company's earnings per ton per mile being, as was shown, practically 7½ mills.

These earnings, assigning them in the proper proportion as between terminal service and rail haul as fixed by the expenses, result to the company for road haul in 5·4 mills, and the balance, 2·10 mills, for terminal activity. Based on this 380 mile haul, the company averaged a return of $2.85 for every ton of freight moved, and of this sum 80 cents represents terminal operation. The result, therefore, is that on the characteristic average Canadian Pacific Railway road haul rate as applied to hauls differing in length from 50 to 400 miles, a haul of 50 miles gives a ton per mile return, based on the terminal return of 80 cents, and the portion of the earnings attributable to road haul, of 2·14 cents; for 100 miles, 1·3 cents; for 200 miles, 0·9 cents; for 300 miles, 0·8 cents; for 400 miles, 0·74 cents. A rate per ton per mile of 1 cent for a haul of only 50 miles in length, would not cover the average terminal earning.

As instancing the high rates on road material, Mr. Armstrong quoted the Grand Trunk rate from Guelph to Petrolea of 8 cents per 100, or $1.60 per ton, for a distance of 124 miles. This movement represents a return of $1.29 per ton per mile. From St. Marys the rate is 6½ cents, or $1.30 per ton, for a distance of 74 miles, equivalent to a rate of 1·56 cents per ton per mile. As compared with the Canadian Pacific rate for 100-mile movements, 1·3 cents including as it does all classes, this rate would seem to be high for a low grade commodity.

As stated by Mr. Armstrong, there are specially low manure rates out of Toronto. These rates have been in the past justified on the ground of the necessity of getting rid of the material from the centre and bringing it to farming districts, which otherwise would not be properly cultivated, and the benefit to the railways of the return loads of fruit from orchard districts, which otherwise would not have been enjoyed.

The railways have recently made application to have these rates raised, alleging that they are unremunerative. They are blanket commodity rates and are not at all

of necessity related to the length of the haul. For example,—the special commodity rates from Toronto to Stoney Creek, a distance of 46 miles, is 3¼ cents, and the rate is exactly the same to Beamsville, a distance of 60 miles. The rate to a greater distance of 83 miles, the maximum distance covered by the movement, that is to the Falls, is only 3 cents.

As rates, manure rates are out of line and were never rates which appear to have been properly scaled. It may be obesrved, though, that a rate of 3¼ cents to Stony Creek gives a per ton mile return of 1·41 cents, and the rate to Beamsville 1·09 cents per ton per mile, yielding in each instance a higher rate than the rates would yield which are now asked for.

I should also observe that those interested in the manure movement claim that the rate is really much higher, owing to the fact that the possible minimum loading of 30 tons cannot in most instances be obtained, owing to the condition in which the manure as received; so that the actual return to the company expressed in tons is much greater than the tariff shows.

The bituminous coal rate relied on by Mr. Armstrong, from Detroit to Petrolea, at 65 cents a ton for a distance of 76 miles, is a lower rate; but this rate again does not represent the sum of the railway activity or the railway earnings; as the coal in question does not originate at Detroit, and the rate relates back to the original movement from the mines. A like condition applies to the movement of bituminous coal from the Niagara frontier to Petrolea of $1 per gross ton for 176 miles.

There remains to be considered the hay rates quoted. Hay moves under 10th class; and the 10th class rate for a distance of over 15 miles and under 20 miles, is 5 cents. The rate is not advanced in the next 25-mile group; remaining at 5 cents.

It is quite true that a better loading could be obtained of gravel than of hay, but it may be remarked that for a movement from Sarnia to Petrolea the special mileage rate applicable to gravel, and on which gravel hitherto has moved, is only 3½ cents. A rate of 1 cent per ton per mile, assuming the distance from Petrolea to Sarnia to be 20 miles, would require the hay rate which is quoted to be reduced from 5 cents to 1 cent per 100 lbs.

The Board can not order the companies to put in an unremunerative rate, nor a rate so low as to be unfairly out of line with rates which are necessary to be maintained in order to permit the continuance of satisfactory operation of railways, due regard being had to proper consideration of the value of the commodities shipped and the service performed.

It is, of course, manifest that the 80 cents for terminal service, which is the result of the Canadian Pacific Railway standard figure of 7½ mills, has no more to do with the actual terminal costs of a low grade commodity such as gravel, loaded and unloaded as it is by the shipper, than the rate enjoyed from an average haul of 380 miles has anything to do with the short hauls in question.

It is, however, impossible for the Board to say that the rates proposed by the railways on gravel are excessive or unfair. The Board is bound to go this length before interfering with the rates which are in the first instance made by the railway companies. In its consideration of rates, the Board also cannot take into account matters of business policy and company administration. While, therefore, I felt that it was impossible for the Board to make any order, the Board has urged upon the Companies the advisability of recognizing a public interest and the benefits which would result to the companies themselves from a proper system of good roads.

The Ontario Government has also intervened, and is very desirous of obtaining extremely low rates, with a view to aiding the present campaign for good roads.

The companies are insistent that they require more revenue, and that their rate returns as a whole are inadequate and insufficient; and, in the first instance, took the position that while they admitted the need of good roads, that, in view of their present

necessities and of their present application for increase in freight rates, no concessions could possibly be made by them, as this would be construed as evidence that an increase in rates generally was not required.

The railways have been assured that no such construction will be made by the Board. Section 341 of the Act specifically provides—

> "Nothing in this Act shall be construed to prevent—(*a*) the carriage, storage or handling of traffic, free or at reduced rates, for the Dominion, or for any provisional or municipal government....."

I am glad to say that the railways now state that, regarding the question in the light of public policy and the possibility of increased railway business as a result of the added prosperity, and with the understanding that the rates offered are not to be regarded as indicating sufficient rates for similar commercial service, they will carry in the territory in question gravel that the municipalities require at a flat blanket rate of 50 cents per ton for any distance up to and including 50 miles; the rate to be a carload rate and cars to be loaded to their full stencilled carrying capacity; the gravel to be consigned to the Clerk of the Municipality and to be used for the purpose of road making; and the railway companies to be notified in advance of the number of carloads required, so that special instructions may be issued in each case.

It is anticipated that 50 miles will be the minimum haul; but should municipalities at further distances require the gravel the rate will be scaled down in the usual manner for greater distances.

It was represented that at this rate, in the more distant districts, there would be no difficulty in proceeding with road construction; and there is no reason why Municipalities which are situated nearer the source of supply should experience any greater difficulty.

I should point out that under the Freight Classification hay takes a 3-cent rate for any distance not exceeding 5 miles. The rate which will now go into force on gravel is but 2½ cents for distances not exceeding 50 miles.

The hope is expressed that the action of the Railways will be considered by the Municipalities in the same way that it is being considered by the Board, and that the benefit to the public from road construction will more than repay the railways for the concessions they are making.

Mr. Commissioner McLean concurred.

APPLICATION OF THE BOARD OF TRADE OF MOOSEJAW, SASK., FOR AN ORDER DIRECTING THE CANADIAN NORTHERN AND THE CANADIAN PACIFIC RAILWAY COMPANIES TO ESTABLISH A TRANSFER TRACK AT ROSETOWN, SASK.

Judgment, Chief Commissioner DRAYTON, July 6, 1915:

This application has been before the Board for some time. It was last heard at a sittings of the Board held in Moosejaw, on December 10, 1914. The matter first came up on an application of shippers of Prince Albert. They were interested chiefly in lumber movements. This movement is a southerly movement on the Canadian Northern Railway from Prince Albert, passing through Saskatoon. The lumber could reach the Moosejaw territory, which shippers desire it to do, either by the Delisle, Canadian Northern Railway Branch, or by the main line, with a transfer track either at Conquest, which is on the Branch, or a transfer track at Rosetown, which is on the Canadian Northern Railway Company's main line, both these points being crossed by the Wetaskiwin Branch of the Canadian Pacific Railway.

The Applicants in this original application were indifferent as to which point was selected for transfer purposes, and a transfer track was agreed upon at Conquest, where it could be constructed at a point near the station, so that it became unnecessary to employ any additional station staff.

After some delay the transfer track was built and ready for service on July 25, 1913.

A considered judgment was delivered by the Board, on the application heard in Moosejaw, on January 29, 1915, denying the application on the evidence which was then before it.

At the instance of the Moosejaw Board of Trade and others interested, the case was reheard at a sittings held in Regina, on the 11th day of June, 1915, when further evidence was developed showing the necessity, in the public interests, of a transfer at that point. In the meantime, it had developed by written submission that the chief traffic to be served by a Rosetown transfer was coal, originating at Drumheller Mines, and the Board had taken up with the railway companies the question of the matter of a reduction of rates via Conquest, so as to make the Drumheller-Moosejaw rate one charged as if the movement had been in fact through Rosetown.

The Canadian Northern Railway Company pointed out in its answer that there was no necessity for such rates to be put in until September, when coal would move. A pressing reason for the renewed application was that, in the opinion of the Moosejaw Board of Trade, coal movement did not wait until September, but, as a matter of fact, took place before September, with a view of avoiding the grain movement.

There is no doubt that coal does move in large quantities before the harvest takes place, and that this movement is much encouraged by the railway companies, who are greatly convenienced, thereby avoiding much congestion during the grain rush, so that it became necessary that the matter should be dealt with without undue delay.

The difference in the mileage via Rosetown as against via Conquest is forty-one miles, resulting in the difference of a cheaper coal rate via Rosetown of twenty cents a ton, a matter of considerable importance, having regard to the traffic handled.

The cost of a transfer track at Rosetown is not great; $3,000 would be ample for the purpose. The operation, however, of the transfer is attended with expense, as it would have to be located at such a distance from the station as to require the employment of a special staff for the purpose of looking after it. At the present time it is against the interests of everybody concerned to add to railway costs. On the other hand, the coal traffic is now shown to be of considerable magnitude. Not only is Moosejaw interested, but all stations within a comparatively wide area north, south, east and west of Moosejaw are interested.

The possibility of the movement of grain requiring treatment, harvested along the main line of the Canadian Northern Railway Company, was also advanced. There would not apper to be any interests served, however, in providing for the movement of grain of this character to the Government elevator at Moosejaw. Such a movement would be somewhat off the direct line to Fort William, and would be more expensive, as it would in any event entail the use of the two railways. It would also be unnecessary, owing to the Government elevator at Saskatoon, which can be reached by the main line track, and where facilities similar to those in Moosejaw have been installed for the treatment of wheat. Probably more can be said about the necessities in the future for a transfer track at Rosetown for the cattle traffic. The area interested, however, in the coal traffic alone is large; a saving of twenty cents a ton is material, and at some points the saving in rates is even greater.

I am, therefore, of the opinion that a transfer track should be constructed, unless the companies file tariffs, within ten days, showing rates on the coal movement in question to the points interested as would apply to a movement via Rosetown in place of Conquest. These rates should be rates which are not only open to Drumheller Mines but to any other mines which may desire to ship over the Canadian Northern main line to Canadian Pacific stations, and must enure to the benefit not only of Moosejaw consumers, but of other points which would be affected, on a basis of rates based on Rosetown as against Conquest. Should the companies not file such tariffs,

the transfer track is to be construced within one month, then placed in operation. Should there be any dispute between the companies as to the location of the track, they must communicate with the Board and the location will be fixed at once by an engineer of the Board; detail plans to be filed.

The traffic to be benefiated is entirely Canadian Northern traffic. The transfer track will, therefore, be built and operated by that company: and leave is reserved to both companies to make such submissions as they desire on the question of the apportionment of cost, both for construction and operation.

Mr. Commissioner McLean concurred.

COMPLAINT OF REV. H. DESROCHES, OF QUEBEC, THAT HE IS CHARGED A BUSINESS RATE INSTEAD OF A RESIDENCE RATE FOR HIS TELEPHONE BY THE BELL TELEPHONE COMPANY.

Judgment, Assistant Chief Commissioner SCOTT, July 8, 1915:

In the city of Quebec the rate for a business telephone is $40 per annum; and for a residence telephone $25 per annum, with extras for desk phones, extra wiring, etc.

Prior to the 1st January last, Rev. Father H. Desroches, the parish priest of Notre Dame de la Garde, had a telephone in his residence which was described in the telephone directory as "Presbytere, Notre Dame de la Garde." For this service he paid $25 per annum, plus $2 extra for a desk phone. On the 18th November, 1914, he was notified that his rate would be increased to the business rate of $40 per annum on the 1st January, 1915.

The complainant contends that he should not be charged a business rate and asks that the company be ordered to continue his service for the residence rate. The notice that was served on the complainant by the local manager of the Bell Telephone Company in Quebec, dated November 8, 1914, contained the following paragraph, which has been translated from French into English:—

> "We have been informed that under the Railway Act we must under circumstances and conditions materially identical, charge uniform telephone rates to everybody; and that in consequence it is not advisable to continue charging the reduced rates you have been enjoying in Quebec."

The contention of the company, contained in a letter to the Board from its general counsel, dated June 9, is as follows:—

> "That the question as to whether or not the business rate is asked depends not so much upon whether the subscriber is a clergyman but upon whether the telephone is located in the sort of place from which it is obvious that the administration or business of the church or parish is carried on. In other words we endeavour to apply the same principles as govern us in deciding whether or not the telephone of a layman is liable for the business rate. For instance, if the telephone is in the vestry or parish house of the church, or presbytery of the parish, or other similar place, we ask payment of the business rate, but we do not do so where the telephone is so situated that it is clearly installed only for personal use, such as where there is one telephone at the church, and another telephone at the clergyman's residence, nor do we ask such of the parochial clergy as have not the secular administration of the parish in their hands to pay the business rate."

Rev. Father Desroches' telephone is in his residence and is used by his housekeeper for securing supplies for the house. It is also used by Rev. Father Desroches in connection with the affairs of his church and by those who wish to speak to him about the affairs of his church. From the evidence, it appeared to me to be practically the same use that any clergyman of any denomination in charge of a parish would make of a telephone in his residence. Rev. Father Desroches is liable

to be called on his telephone to visit the sick of his parish, or to arrange for a wedding or funeral service. This seems to me to be the use that might be made of a telephone in any clergyman's residence. It was contended by the company at the hearing that Rev. Father Desroches' case was somewhat different from others, because the telephone was in the name of the presbytery and not in his name personally. I do not see that that makes any difference. A presbytery is the residence of a clergyman in charge of a church, and has the same meaning as manse or rectory.

It is not necessary to decide the point raised by the company, already quoted from its counsel's letter of the 9th June, that the use made of his telephone by Rev. Father Desroches is really a business use, because in my opinion the equality clauses of the Railway Act have been violated in this case. On the question of the business use of a clergyman's telephone, I would like, however, to point out in passing that unlike other professional men, or business institutions, a clergyman in no way depends on the telephone for the remuneration he gets from his parishioners for his support. If Rev. Father Desroches' telephone was taken out, it would doubtless cause him some inconvenience, but it would not result in any financial loss to him. He would get exactly the same remuneration from his parish as he would get were the telephone maintained in his residence.

Section 315 of the Railway Act, which applies to the Bell Telephone Company, requires that all tolls shall always, under substantially similar circumstances and conditions, be charged equally to all persons at the same rate. The notice that the company's manager in Quebec sent the applicant last November shows that he was well aware of this provision of the statute.

I have gone over the Bell Telephone Company's list of subscribers in the city of Quebec. I find that approximately 47 clergymen of all denominations have telephones. Of this number 17 pay the residence rate, and a number of the 17 are in charge of churches and are similarly situated to the complainant.

I have, therefore, come to the conclusion, that the circumstances and conditions of the use of the applicant's telephone, and the use of the telephones of a number of other clergymen in Quebec, who only pay the residence rates, being substantially similar, the company erred in changing the rate of the applicant's phone to the business rate in January last. The applicant is entitled to get a telephone at the residence rate and should get credit for any amount he may have paid since January in excess of that amount.

Reported in 18 Can. Ry. Cas. 322.

Mr. Commissioner Goodeve concurred.

KETTLE VALLEY RAILWAY COMPANY AND CANADIAN NORTHERN PACIFIC RAILWAY CROSSING AT HOPE, BRITISH COLUMBIA.

Judgment, Chief Commissioner DRAYTON, July 9, 1915:

In this case, an application was made by the Kettle Valley Railway Company, under Section 227 of the Railway Act, for authority to cross with its tracks the right of way of the Canadian Northern Pacific at Hope, B.C.

The application, although opposed by the Canadian Northern Pacific, who urged that an overhead crossing should be constructed by the Canadian Pacific, was granted on the usual terms, interlockers to be installed and a plan of the interlockers to be approved by the Board's Engineer. The rights of the Canadian Northern Pacific, as a senior road, to be given effect to. Order No. 23180 was accordingly issued, authorizing the crossing and providing for protection by an interlocking plant with details.

Subsequently to the hearing, Mr. Beatty made application for temporary approval of the crossing, pending the construction of interlockers, the approval to be for construction purposes only, and to stand for six months.

The Canadian Northern Pacific stated that it had no objection to the temporary order being granted provided that the crossing be protected by a flagman, in accordance with the usual terms of such orders, and required that a provision be embodied in the temporary order giving all west-bound trains, including freight trains, priority of all trains on the Kettle Valley Railway.

On the 27th of January, the Board received a letter from the Vice-President and General Counsel of the Canadian Pacific stating that the letter of the Solicitor of the Canadian Northern, advising the Board as to the terms on which that company would consent to the temporary crossing, was quite satisfactory; and Order No. 23217 was, as a result of the Vice-President and General Counsel's letter, immediately issued.

On June 16, the Commission received from the Chief Engineer of the Canadian Northern Pacific a letter stating that:—

> "The President of the Kettle Valley Railway has written that he is willing to accept the responsibility of any accident which may occur between 7 p.m. and 7 a.m., because of the absence of a watchman during this period: that there was never any warrant or authority to put on a night watchman in the first instance, and that his road will not pay the wages or any part of them for such watchman."

The President of the Kettle Valley Railway Company was then written to by the Board on the 22nd of June, 1915, stating that the Board's Order required that all trains of both companies were to be flagged over this crossing by a flagman appointed by the Canadian Northern Pacific and at the expense of the Kettle Valley Railway Company.

The President of the Kettle Valley Railway Company answered the Board as follows:—

> "DEAR SIR:—
>
> "Answering your letter of the 22nd June, I enclose copy of our file with ..the Canadian Northern Company.
>
> "You will notice that the two men were put on in the first instance when there was absolutely no night work being done by either railway, the excuse given being that the Canadian Pacific Railway did this same thing to the Canadian Northern Railway at some other point. You will also notice that Mr. White did not state the whole facts when he said that we were willing to accept the responsibility for any accident which may occur between 7 p.m. and 7 a.m.—that the correspondence shows that one of his engineers said that if we would accept this responsibility the night man would be laid off.
>
> "We must decline to have any sins of the Canadian Pacific Railway visited upon us, or to pay wages for loafing."

The Board is not interested or concerned in the correspondence between the Railway Companies. It is interested in seeing that its Orders passed for the purposes of protection are properly carried out; and the Order which was made, as already pointed out, was an Order which was stated by the representative of the Kettle Valley Railway Company, by letter, to be quite satisfactory. Any question as to whether trains were or were not running at certain periods of the 24 hours should have been then considered. It is quite clear that, in any event, the flagging order applies to trains on the Canadian Northern Pacific that are operated at night, irrespective of whether the construction trains on the Kettle Valley Railway chose then to run or not.

The matter is not one which can be adjusted between the railways, as they seem to think. The order of the Board must be carried out; and, if there is any continued difficulty, the present order can be very easily, and will be, rescinded.

The crossing is now, or rather will be, an important one.

The temporary leave to this crossing expires on July 23rd; and it may be noted that, as yet, no detail plans for the interlocking plant have been submitted to the Chief Engineer of the Board for his approval.

The "loafing" that Mr. Warren in his letter refers to, and which I suppose has to do with the flagman which the Board thinks necessary in the interest of public safety, will disappear with the installation of this interlocking plant, which seems to have been very much delayed up to the present.

Mr. Commissioner McLean concurred.

MIMICO BOARD OF TRADE V. GRAND TRUNK RAILWAY COMPANY *re* FACILITIES AFFORDED AT STATION IN MIMICO.

Judgment, Chief Commissioner DRAYTON, July 29, 1915:

The Mimico Board of Trade have complained against the facilities afforded by the Grand Trunk Railway Company at its station in Mimico.

The case was heard at a sittings of the Board held in Toronto on July 16, 1915.

From the evidence, it is clear that the station has not been properly maintained. It has been allowed to get dirty, and proper care has not, at least in some instances, been exercised in housing freight of a character likely to be contaminated. There seems to be no doubt but that the small freight room has been allowed to get in a dirty condition; and that it smells so badly of oil and lubricants that no foods of any kind should be placed in it.

The station also is on the wrong side of the tracks. By far the larger population of Mimico is found south instead of north of the Grand Trunk line. With the station in its present position, it means that, to a large extent, every person going to it crosses four busy lines of track at a point where the railway operations are so constant as to justify the construction of a subway on the road to the west.

The railway company pleads lack of money, resulting from the present financial situation. They admit that conditions are not what they should be, but state that they are unable to remedy them.

There is no question at all but that the company is not in a position to waste any money, and should not be required at the present time to make any investment on capital account that is not absolutely necessary.

The company's obligation, however, to furnish reasonable facilities still exists; and, while what does or does not amount to a reasonable facility involves the consideration among other matters of the financial conditions of railway companies, that consideration of itself and alone cannot relieve railway companies from the provisions of the Railway Act.

The station here seems to have been moved for some railway purpose, probably in case of grade revision of its line, from the south to the north side of the track. It would appear to have been moved bodily across the rails, as the front of the station still faces the north instead of having been turned to face the tracks on its new location on the north.

I can find no authority giving permission for this change of site. It is one which should not have been made, and the station should be now placed in its original position as near as may be to the south of the tracks. The company's land at this point is limited, and it may be that some slight re-arrangement of the station will become necessary. This the company may do, as it should not be required at the present time to expropriate any more property.

Besides being moved, the station should be cleaned and put in proper order for use.

Mr. Commissioner McLean concurred.

COMPLAINT OF THE CANADIAN MANUFACTURERS' ASSOCIATION AGAINST THE CANADIAN PACIFIC RAILWAY COMPANY'S PROPOSED TARIFF SUPPLEMENT NO. 40 TO C.R.C. E-2599, ADVANCING THE RATE ON BRICK, COOKSVILLE TO TORONTO; AND SUPPLEMENT NO. 42 TO C.R.C. E-2559, ADVANCING THE RATE ON GRAVEL AND BUILDING SAND FROM COOKSVILLE TO NORTH TORONTO, PARKDALE, AND TORONTO, ONT.

COMPLAINT OF THE CANADIAN MANUFACTURERS' ASSOCIATION AGAINST GRAND TRUNK RAILWAY COMPANY'S PROPOSED TARIFF SUPPLEMENT NO. 151 TO C.R.C. E-2552 ADVANCING THE RATE ON BRICK FROM PORT CREDIT TO TORONTO, AND SUPPLEMENT NO. 153 TO C.R.C. 5-2552, CANCELLING EXISTING RATE ON GRAVEL AND BUILDING SAND FROM YORK TO NORTH TORONTO, ONT.

Judgment, Mr. Commissioner McLean, July 27, 1915:

On complaint, the increase in the brick rate from Port Credit to Toronto, provided for in Grand Trunk Tariff Supplement 151 to C.R.C. E-2552, was suspended, pending investigation, by Order No. 21326 of February 10, 1914. The increase was one-half cent. Involved in the suspension Order was also the question of an increase in the rate on gravel and building sand from York to North Toronto. The matter stood over by agreement and consequently did not come to hearing until December 12, 1914. It was then arranged that, so far as the rates on sand and gravel were concerned, they should stand for consideration in connection with the general matter of local switching.

On complaint, a similar suspension was made by Order No. 21327 of same date. The increase was one-half cent. The tariffs concerned were supplements Nos. 40 and 42 to Canadian Pacific Tariff C.R.C. No. E-2529. The points of shipment were Cooksville and Weston, Toronto being the destination point. Postponements have been arranged by agreement; the matter came up for hearing December 12, 1914.

There were pending at the same time the complaints of the Milton Pressed Brick Company and of the Halton Brick Company, which have been dealt with in the judgment of June 17, the complaints in question being set out on Files 22583 and 24368, respectively

At the hearing on December 12, 1914, it was stated by the Chief Commissioner that the complaint as to Port Credit, stood for consideration in connection with the Milton and Halton applications above referred to. The complaint as to Cooksville and Weston stood for consideration in connection with the Milton complaint.

It was recognized at the hearings that, although the rates were different, the situations were inter-related.

By Supplements No. 22 to C.R.C. No. E-29A, effective August 5, the Canadian Pacific Railway Company increased its rate to Toronto from Cooksville, West Mimico, and Weston, from 2½ cents to 3 cents. By Supplement 26 to C.R.C. No. E-3036, the Grand Trunk increased its rate to Toronto from Port Credit from 2½ cents to 3 cents.

The Board's attention has been drawn to the fact that the supplements in question have been filed before the suspending Orders, already referred to, were cancelled. The Canadian Pacific replies that its understanding was that the decision in the Milton case covered also the rates from Cooksville and Weston.

The standard "town" tariff, and special mileage rates to the points involved, are as follows:—

——	Miles.	Standard.	"Town"	Present.	Previous.
		Cents	Cents	Cents	Cents
Western	9	4	4	3	2½
West Mimico	9	4	4	3	2½
Port Credit	13	4	4	3	2½
Cooksville	15	4	4	3	2½

In the judgment of June 17, the points involved were treated as falling within a system of group rates. The points now involved also fall within a group situation, and should be treated in the same way. The mileage embraced in the present grouping is practically equivalent with what is embraced in the Milton-Cheltenham group. There is the same differential between the groups as formerly, viz., ½ cent.

Considering that the different points involved in the group are competitive in Toronto, Order may go permitting the 3 cent rate in the case of the Weston-Cooksville group. This rate to include access to all Toronto terminal points, as in the case of the Milton-Cheltenham group.

Suggestion has been made that the supplements involved should be suspended on the ground that they had been filed before the suspending Orders were cancelled. But since it is recognized that the brick rates concerned must be treated on a group basis,—the comparative, not the absolute, mileage situation being important—a further suspension would simply mean a further postponement of an arrangement which seems reasonable and the existence of a period during which the differential between the groups would be out of line.

Chief Commisioner Drayton concurred.

APPLICATION, UNDER SECTIONS 244 TO 248, FOR AN ORDER COMPELLING THE BELL TELEPHONE COMPANY OF CANADA TO RESTORE ITS TELEPHONE OFFICE AT THE POLICE VILLAGE OF STONY POINT, IN SAID TOWNSHIP OF TILBURY NORTH, ONT.

Judgment, Mr. COMMISSIONER MCLEAN, July 28, 1915:

Application is made under Sections 244 to 248, both inclusive, of the Railway Act, to compel the Bell Telephone Company to restore its telephone office at the Police Village of Stony Point, in the Township of Tilbury North. The office in question was a pay station.

The complaint has been developed by correspondence and there has, therefore, been delay in receiving the final submissions.

It is stated that until September 1, 1914, the office in question was maintained. It is alleged that there are a large number of residents in the village, as well as in the vicinity thereof, who require that the office should be open for business purposes.

It is submitted that owing to the fact that the Bell Company maintained the office at the point in question for a number of years, the burden is on the company of justifying the closing of the office.

The position of the telephone company is as follows:—

> "Until recently we had a pay station at Stony Point on a local line running west to Windsor but there was no direct connection over our lines between Stony Point and Chatham to the east, it being neeessary to route all messages for Chatham and the east over our line westward to Windsor and thence back over a thorough trunk between Windsor and Chatham.
>
> "In addition to our pay station at Stony Point, the locality is also served by the West Tilbury system which connects through Comber with the Bell lines at Tilbury, which is connected by a trunk line to Chatham and also to Merlin and Blenheim, etc.
>
> "I am informed that the West Tilbury system has about 50 subscribers in and immediately around Stony Point Village and these parties instead of going to our toll office at Stony Point secure connection with our long distance system through Comber office. This rendered the continuance of our toll office at Stony Point unnecessary, and it will be observed that the abandonment of our toll office does not in any way cut off Stony Point from telephone communication. In fact it gives Stony Point a better connection to Chatham and the east, which I am informed is the direction in which the bulk of the business

from Stony Point goes, and they are still able to reach western and other points through their connection at Tilbury with our system.

"We, therefore, considered that Stony Point would be better off under the new arrangement than under the old and discontinued our toll office there, but at the same time the Tilbury West system undertook to arrange a special trunk line from Stony Point to Comber for the express purpose of handling business for parties who desired to use a line with no other stations on it and we presume that this new trunk will be built as soon as financial conditions allow of it."

While the application as launched relies upon sections 244 to 248, inclusive, of the Railway Act, these sections confer no jurisdiction, either by express statement or by implication, to deal with the subject matter of the complaint.

The Railway Act has grown up by accretion and the powers conferred on the Board in regard to telephone companies are not necessarily identical with those conferred in respect of railway companies. Certain sections of the Act are not made applicable to the telephone companies, and as to the remaining sections it is provided that they shall be applicable "in so far as reasonably applicable and not inconsistent with this part or the special Act."

A pay station or office of the telephone company is analogous in its functions to a railway station. Under section 258, the Board is given certain powers in regard to railway stations. In pursuance of the powers conferred and the decisions based thereon, the Board has dealt with the conditions under which an agent may be removed from a station, and has also directed that a station should be constructed.

While the Board has this power in respect of railway stations, it is to be noted that by section 5 of part 1 of 7-8 Edw. VII, Chapter 61, there is excepted *inter alia* from the sections applicable to telephone companies section 258. Section 284 deals with the facilities to be afforded " . . . the . . . at the place of starting . . . and at all stopping places established for such purpose adequate and suitable accommodation for the receiving and loading of all traffic offered for carriage . . . " is also excepted.

Reference is made to the amount of general business done at Stony Point. It is stated, " . . . . all business has suffered by the closing of the Bell office at Stony Point, and Stony Point has been discriminated against in favour of the surrounding villages."

Apparently the word "discriminated" is used as suggesting that business which had gone to Stony Point now goes to other adjacent villages. There is no evidence adduced to show that there has been any change in the volume of business, nor is there any evidence adduced to show that the alleged difference in the volume of business is due to the closing of the pay station.

Whatever justification there may be for an application which falls within the provisions of the Railway Act, in so far as discrimination is concerned, the present application is concerned simply with an application for the re-opening of a pay station, and this direction the Board has no power to issue.

Chief Commissioner Drayton and Assistant Commmissioner Scott concurred.

COMPLAINT OF TWO CREEKS GRAIN GROWERS' ASSOCIATION AGAINST DISCRIMINATION IN FREIGHT RATES AS BETWEEN WINNIPEG AND ELKHORN, AND WINNIPEG AND TWO CREEKS, MANITOBA, ON THE LINE OF THE CANADIAN PACIFIC RAILWAY COMPANY.

Judgment, Commissioner McLean, July 28, 1915:

Complaint is made by the Grain Growers' Association of Two Creeks, Manitoba, regarding an alleged discrimination in freight rates as between Winnipeg and Elkhorn, on the one hand, and Winnipeg and Two Creeks on the other.

Elkhorn, which is on the Canadian Pacific Railway Company's main line, a distance of 198 miles west of Winnipeg, has a first-class rate of 54 cents, the other classes being appropriately scaled. Two Creeks, which is 194 miles west of Winnipeg, has a first-class rate of 57 cents. Complaint is made of the difference as being discriminatory.

On the movement west from Winnipeg to the two points in question, the mileage is common to Virden; Elkhorn is 16·8 miles west of Virden, on the main line. Two Creeks is 13·4 miles in a northwesterly direction from Virden, on the line extending from Virden to McAuley. Both Two Creeks and Elkhorn fall within the mileage grouping from 190 to 200 miles, inclusive, of the standard freight mileage tariff, and therefore are *prima facie* entitled to the same rate on the mileage scale

Two Creeks was first opened to traffic in March, 1910. The history of the arrangements whereby the so-called Manitoba scale was worked out has been set out in the judgment of the Board in the Western Rates Case. In substance, the standard mileage rate applicable in Manitoba was arrived at by deducting 15 per cent from a hitherto existing uniform scale aplicable generally in the prairie provinces. The distributing, or "town" tariff, rates were arrived at by a further deduction of 15 per cent. The standard first-class rate for the Two Creeks distance was 68 cents, and the "town" tariff rate was 57 cents. Adding to this the charge for Winnipeg cartage, viz., 3 cents, the first-class rate would be 60 cents. This was the rate charged to and from Two Creeks.

The Elkhorn first-class rate at the same time was 57 cents. In May, 1912, the railway company abolished its cartage service at Winnipeg, reducing the first-class rates by 3 cents in each case. This made the Elkhorn first-class rate 54 cents and the Two Creeks first-class rate 57 cents.

The railway company in its answer alleges that the rate to Elkhorn as established prior to September 1, 1914, had been erroneous, and that it should properly have been 57 cents. The railway company stated, further, that as it was understood that under the Board's order in the Western Rates Case, no rates were to be raised, the old rate of 54 cents from Winnipeg to Elkhorn was continued, although it was out of line.

Miniota, the terminus of the branch line system from Chater, is 196.8 miles from Winnipeg, and falls in the same mileage group as Elkhorn and Two Creeks. It is in the same territory as Two Creeks, being about eight miles due north of it. It has a rate of 54 cents, which, standing by itself, might appear to be controlled by the fact that the Grand Trunk Pacific has the short distance, viz., 180 miles, the appropriate rate for which is 54 cents. However, the Canadian Pacific operated to Miniota before the Grand Trunk Pacific was in operation. The original rate to Miniota was 57 cents, first-class. By deduction of the cartage charge, the present rate of 54 cents was arrived at.

Winnipeg to Virden, a distance of 180.5 miles, falls within the group of the standard mileage, covering from 180 to 190 miles. The distributing rate appropriate to this is 54 cents. Harmsworth, which is 8.7 miles west of Virden, on the Virden-McAuley branch, falls within the same mileage group as Virden, and is given the 54 cent rate.

It is alleged that the difference in rate as between Elkhorn and Two Creeks does not create a discriminatory situation. It is stated that the two points have nothing in common; that the tonnage in and out of Two Creeks is insignificant; that Two Creeks is situated on a branch line, while on the other hand Elkhorn is on the main line, where the cost of operating is lower and the density of tonnage and population much greater.

While reference has been made to the difference in the density of traffic as between the main line and the branch line, the pertinency of this is not apparent when it is considered that what is involved is a general mileage scale.

As has been indicated, the 54 cent rate is also given to Elkhorn; but, while Virden and Harmsworth, falling within the same mileage group, are given the same rate, and

while Elkhorn and Miniota have the same rate, Elkhorn and Two Creeks, falling within the same mileage group, are given different rates, as has been indicated.

This is a discriminatory treatment, which has not been justified, and Two Creeks should be given the same rate as is given to Elkhorn.

Reported in 18 Can. Ry. Cas. 403.

Chief Commissioner Drayton concurred.

GRAND TRUNK RAILWAY COMPANY AND CANADIAN PACIFIC RAILWAY COMPANY *re* JOINT OPERTION OVER SIDING ON PARDEE AVENUE, TORONTO.

Judgment, Chief Commissioner DRAYTON, July 31, 1915:

This application is one made by the Grand Trunk Railway Company, under section 176, for authority to operate its trains jointly with the Canadian Pacific Railway Company over the siding laid by the Canadian Pacific Railway Company on Pardee avenue, Toronto, south of Liberty street.

The application was contested by the Canadian Pacific Railway Company, and the case came on for hearing at the sittings of the Board held in Toronto, July 16, 1915.

The siding in quesetion serves the premises of the Canada Metal Company, Limited, which company is very anxious to obtain the benefit of a direct connection with the Grand Trunk railway, the company stating in its submission that it has received orders for four thousand tons of bullets from the Shell Committee, and that the business requirements of the company itself make it imperative that there be no delay in handling, as is occasioned by transfers from one railway to another.

Nothing is advanced, however, by the Canada Metal Company which of itself would justify the handing over of the terminal facilities of one company to another. The spur in question, however, runs southerly off a joint spur track owned by both railway companies, and laid on the north side of Liberty street; and, in order to use the siding now under consideration, this joint section must in part be used by the Canadian Pacific Railway Company. As a matter of general practice, extension of joint spurs should be jointly operated. This general principle is of course subject to such limitation as the particular conditions which may apply in any particular layout entail; and, in the same way, an extension of a joint section to tracks already laid and owned by one company having an interest in the joint section, must also be considered in view of the conditions applicable. It does not appear that in this particular case, there is any difficulty in adjusting the limits of the joint section so as to make the section under joint operation cover the track in question. There would be no difficulty whatever in having joint operation on the siding on Pardee avenue, running as it does off the joint section, were it not for the fact that in order to operate it, Grand Trunk trains of necessity would have to use the track lying to the east of the joint section, owned by the Canadian Pacific Railway Company.

The companies voluntarily have met a similar situation, in so far as the siding serving the Gillett Company is concerned. That siding, as in the case of the Pardee Avenue siding, runs off the joint section, but in order to operate it, Grand Trunk trains have to use the said C.P.R. track. The Grand Trunk Railway Company pays for this privilege the sum of $20 a year to the Canadian Pacific Railway Company. It is obvious that, in view of this arrangement, the said C.P.R. track is put to no use which would prevent a joint operation, not only so far as the Gillett siding is concerned, but other sidings. The general principle, therefore, that the sidings off joint tracks, or the extension of joint tracks, should be operated in the same manner, can therefore be applied without injustice.

I am of the opinion that an order should go providing that the siding on Pardee avenue shall be operated jointly, and that the necessary portion of the C.P.R. track lying to the east of the present joint section should be thrown into the joint section

and operated in like manner, to the extent that that track is necessary for the purposes of serving sidings which have been run off of the existing joint section.

Opportunity is given to the companies to make such arrangements as they may desire for the necessary compensation to the Canadian Pacific Railway Company for the extended use of its property, which the Grand Trunk Railway Company will now enjoy. Should this question not be settled between the companies, it will be disposed of, on the complaint of either, by the Board.

The Order will provide that the Grand Trunk Railway Company will have the right immediately to operate the spur.

Mr. Commissioner McLean concurred.

EDMONTON, DUNVEGAN AND BRITISH COLUMBIA RAILWAY.

Judgment, Chief Commissioner DRAYTON, August 2, 1915:

The case involves the consideration of the tariffs of the Edmonton, Dunvegan and British Columbia Railway.

It was first heard at the Sittings of the Board held at Edmonton on May 28, 1915. The tariffs in question had already been dealt with by an interim judgment of the Board of March 26, 1915, further consideration being required by the Judgment which adopted the tariffs then filed, and which were based on the "Mountain" scale. Copy of the Judgment and notice of the hearing were sent to all parties who appeared to be interested.

No objection to the Company's proposals were advanced on behalf of anybody at the hearing at Edmonton. Edmonton, is, of course, largely interested in the development of the northern country served by this railway, and its Board of Trade wrote this Board as follows:—

> "In reference to your communication of May 8, on the above subject, I beg to advise that this matter was submitted to a general meeting of the Edmonton Board of Trade held to-day. The meeting was very representative of the commercial interests of Edmonton, and the members had been specially advised by mail that the matter of the Edmonton, Dunvegan and British Columbia tariffs would be submitted for the consideration of this meeting. After somewhat exhaustive consideration, it was decided by resolution that this Board of Trade would make no protest at the present time against the tariffs recently filed by the Edmonton, Dunvegan and British Columbia Railway and temporarily approved by the Board of Railway Commissioners. A resolution to this effect was carried by unanimous vote."

The company operates under a Dominion charter, but is one which is being financed largely by guarantees of the province of Alberta, which province is of course directly interested in the opening up and colonization of its northern territory. The Provincial Government was notified of the hearing at Edmonton but took no part, leaving the whole question in the hands of the Board.

Apart from any objections, the Board was of the view that very special reasons would have to be advanced as to why the "Mountain" scale should be used. It was recognized, of course, that with a new line running into a new country and enjoying no through business, that the ordinary "Prairie" scale would, in the first instance, be too low, and the Board's chief traffic officer worked out an intermediate scale between the "Prairie" and the "Mountain" scales, copy of the rates worked out on this scale was given to the company's officials to say whether or not they could operate on the reduced scale.

In addition to this the company was instructed that in any event special commodity rates must be filed on the articles which the country could produce, such as

grain, hay, forest products, dairy and packing house products, cordwood, building material, etc., and the hearing was adjourned to be resumed at Calgary on June 9, 1915.

The position taken by the company's officials at the later hearing was that it would be impossible to operate under any lower tariff than the "Mountain" scale, but that lower rates on grain than suggested by the Board could be given with the company operating generally on the reduced scale.

The company has filed special commodity rates applying locally on grain, forest products, dairy and packing house products, vegetables, livestock, hay, straw, coal, cordwood, and building material. These tariffs are based on the "Prairie" scale. They are satisfactory and are as low as can be required. The company has also filed a proper and appropriate distributing tariff on general merchandise, applying from Edmonton, the rates in this case, however, being scaled down from the "Mountain" scale.

The matter has stood awaiting the company's filing of through grain rates to the head of the lakes, as promised. The Board is to-day in receipt of a letter from Mr. McDonald, the railway's traffic expert, in which he advises the Board that rates will be put in effect by the company so as to permit movement from Jarvie to Lake Superior ports at 29 cents per 100 pounds, from High Prairie 36 cents, McLennan 37 cents, and from Fowler, the terminus, 38 cents. These rates are higher than the first rates I suggested at the hearing, which was a rate from shipping point to destination of .395 cents per ton per mile, with a cent per hundred pounds added as an extra to cover cost of transferring at Edmonton. On the higher possible basis discussed, the rate from High Prairie, however, would be 39½ cents. This rate was thought by the Board to be very high, so high indeed that it represented the limit that could be considered. While the rate submitted of 36 cents is not as low as the first rate considered, it is 3½ cents lower than the other possible combination, and I think may be adopted as satisfactory until traffic conditions are developed so that the actual results may be fully considered.

The company has received a guarantee from the province of $20,000 per mile. The province is satisfied that under its supervision this money has actually been expended. The evidence supplied by the company is to the effect that the capital stock of $250,000 is not watered. Large advances have been made to the company to enable it to carry on its work. The honourable, the provincial treasurer, who has kept closely in touch with the company's operations advises that the company has received from the J. D. McArthur Company $790,000 in connection with advances, or for work representing the unpaid accounts on the grading contract, and that a further sum of $900,000 has been invested in the road which the railway company obtained through their bankers, all of which Mr. Mitchell is advised, is guaranteed by the J. D. McArthur Company and by Mr. McArthur personally.

Under all the circumstances, I am of the opinion that the Board should allow the tariffs as filed. It must, however, be clearly understood that the Board's present action is not in any sense final. The conclusions are conclusions arrived at in advance of the development of traffic, and it well may be that the rates now in effect, and which the company's officials claim are merely sufficient for the actual operation of the road, may prove to be too high. The rates now allowed cannot be in any way looked upon as possible of any general application. They are only allowed in view of the fact that the railway is a colonization road; has but little developed traffic and in effect bears to the transcontinental systems the relation of a branch line.

Mr. Commissioner McLean concurred.

SESSIONAL PAPER No. 20c

CANADIAN PACIFIC RAILWAY CROSSING, SYMINGTON AVENUE, TORONTO.

Judgment, Chief Commissioner DRAYTON, August 2, 1915:

The question of protection required at the above crossing was discussed at the sittings of the Board held at Toronto on July 16, 1915, and has since been reported on by the Board's Chief Engineer.

The view approaching the track from the south looking east is obstructed by the Union Coal Company's shed, and on the west by the City of Toronto's corporation shed, which is placed at the corner of the crossing. Approaching the track from the north the westerly view is good, but to the east it is obstructed by the high board fence surrounding the Wilkinson Plough Company's premises.

The city asks for gates and watchmen. The railway company objects to the expense of such protection as being unnecessary owing to the fact that railway traffic is light and is composed merely of freight and switching movements, with the exception of the draft of the North Toronto passenger train, which passes over this crossing once each day. The railway company further submits that its movements are very slow, and states that in opinion of its officials protection in the form of gates and watchmen is quite unnecessary.

It is true that the movement of trains is comparatively light, and speaking generally is not of a fast character. So far as the highway traffic is concerned, however, it has developed largely. The records show that in 48 hours 2,190 vehicles and 6,885 pedestrians passed over the crossing. In view of the relatively light railway traffic the railway company further submits that the utmost protection required is that afforded by a bell. This solution has been looked into. It is impracticable, as the bell, owing to the large number of spurs running off the line in this vicinity, would not be workable. In view of the heavy traffic on the street, I am of the opinion that watchmen and gates will have to be installed, but owing to the peculiar circumstances, the city's share in the crossing should be greater than that usually ordered. Twenty per cent of the cost will be paid out of the Railway Grade Crossing Fund; the remaining 80 per cent will be divided in equal proportions between the city and the railway company, as will also the cost of operation.

Mr. Commissioner MeLean concurred.

Re REMOVAL OF GRAND TRUNK PACIFIC RAILWAY COMPANY'S STATION AT GREGG, MANITOBA.

Judgment, Chief Commissioner DRAYTON, August 3, 1915:

The Grand Trunk Pacific Railway Company make application for the Board's leave to discontinue its station agent at Gregg, in the province of Manitoba.

The application is opposed for the municipality by its solicitor, Mr. Hooper. Mr. Hooper in his submissions states:—

> "It seems to me that the revenue itself should be a complete answer to any attempt to the closing of this station. My instructions are that this is the only station between Portage La Prairie and Justice where there is an agent, a distance in round figures of about sixty-eight miles.
>
> "This is a very wealthy farming settlement, in fact the Grand Trunk Pacific in passing through the municipality of North Cypress is immediately in touch with perhaps the richest farming district in Manitoba, and they ship a good deal of agricultural produce from the stations of Inglelow, Harte, Gregg, and Firdale, all of which are located in North Cypress. Some of the ratepayers suggest as an alternative that should Gregg be closed up that your Board request the company to put an agent in at Harte. My instructions are from the

municipality to strongly oppose this attempt to the closing of Gregg, and that the municipality considers it should only be closed on one condition, and that is that they would consent to the closing of Gregg providing your Board directs the company to place an agent at Harte station."

The Board requires agents to be installed at all stations where the gross earnings are more than $15,000. The operating department has checked the returns at Gregg from January to December of last year, and the total receipts from all sources were shown to be $8,386.39. Owing to the fact that there was only one agent in a long stretch of territory, as referred to by Mr. Hooper, the Board did not apply the usual practice, but gave no permission to the company to discontinue the agent until the matter had been further inquired into and a further analysis of figures obtained. This further analysis covers the months of January, February, and March of the present year. During that period, business conducted at Gregg, having regard to the business at that station itself including all sources of revenue, amounted to $1,606.73.

The agent at Gregg, besides doing his own business, however, has also to look after the business of the following non-agency points, which have during this period the following results:—

Harte	$927 32
Firdale	127 64
Ingelow	3 92
Exira	9 30
Deer	78 59
Caye	28 59
Barr	36 04

An analysis of the figures of the previous year shows that out of the total of $8,386.39 no less than $6,038 was received for grain shipments, showing the L.C.L. and passenger business, for which the services of an agent are particularly necessary, to be negligible.

This small amount of business in the first instance seems extraordinary, in view of the statements contained in Mr. Hooper's letter as to the character of the country in this neighbourhood. There is no doubt but that this district served by the railway is well settled and highly productive.

The explanation is entirely found in the fact that railways at this point are constructed paralleling each other at particularly short distances. Here the Grand Trunk Pacific runs between the Canadian Pacific and the Canadian Northern. On the Canadian Pacific, the station Wellwood is only 3½ miles north of Gregg, and Carberry 7½ miles southwest; and, on the Canadian Northern, Petrel is but 4½ miles west.

There never was business done at Gregg which would justify the employment of an agent, having regard to the economic operation of the railway from a traffic standpoint. The railway company probably put an agent in for purposes of competition. It now desires to take the agent out.

The only ground on which the Board could refuse the leave asked in view of the station's earnings is the fact that distances between agency points are long. So far as traffic is concerned, that question disappears, in view of the stations on other railways in this district, two of which have agents; and, so far as operation is concerned, the company states that their telephone system renders it not necessery to maintain an agent at this point.

The condition really is very much the same as that at Elie, although it perhaps even more illustrates the economic evils of railway duplication; and the Order should contain terms similar to those insisted on in the Elie case, so as to prevent unnecessary inconvenience to the public. This would mean that the company must properly house

all L.C.L. shipments, both in and out, and employ a train agent who can sign bills of lading for outward shipments or give such authority to train conductors. The grain movement will have to be cared for by an Agent for that purpose following the usual practice.

Mr. Commisioner Goodeve concurred.

CANADIAN PACIFIC RAILWAY CROSSING ROYCE AVENUE, TORONTO.

Judgment, Chief Commissioner DRAYTON, August 3, 1915:

The application in this case is made by the Canadian Pacific Railway Company, who apply for an amendment to the Board's Order No. 10782, so as to provide as to the division of responsibility for accidents due to the negligence of the gatemen at Royce avenue crossing, Toronto.

This case was heard at a Sittings of the Board in Toronto on March 30, 1915. Mr. Beatty appeared for the Canadian Pacific, Mr. Chisholm for the Grand Trunk, and Mr. Geary for the City.

The crossing is a complicated one, the highway crossing first the Canadina Pacific siding, then the double tracks of the Grand Trunk, and then the double tracks of the Canadian Pacific.

On an application made by the City and heard at a sittings of the Board held at Toronto on May 23, 1910, an Order was made providing for the installation of gates to be operated by watchmen. The Canadian Pacific was directed to instal the gates; five-fifteenths of the cost was placed upon the City, four-fifteenths on the Grand Trunk Railway and six-fifteenths on the Canadian Pacific Railway. The cost of maintenance was divided in like manner.

Some delay seems to have occurred in the erection of the gates, which, however, were completed and put into operation on January 3, 1911.

The watchmen operating the gates were appointed by the Canadian Pacific Railway, that company making the appointment as the conduct of the work had been placed in its hands, the wages of the watchmen being contributed to by the parties in the proportions above indicated.

At the hearing Mr. Beatty stated that an accident having occurred in which a man was injured by being struck by a Grand Trunk train, the question arose between the Grand Trunk and the Canadian Pacific as to whether, in view of the fact that the man in charge of the plant was appointed by the Canadian Pacific, the damages should be paid by that company, the Grand Trunk contending that the failure of the man in charge to lower the gates was the approximate cause of the accident, and that as he was appointed by the Canadian Pacific that company was responsible for his negligence.

The Board does not seem to have had to consider this question in the past. The original order, of course, throws no duty on the Candian Pacific to appoint a man, but the company in doing so merely carried the order into effect. Both companies urge that the employment of the watchmen is an object in which all are equally interested; the interest of the city being apparent owing to the fact that it had applied for protection, and its interest in preserving safety of its citizens is also obvious.

Treating the matter in this way, damages resulting from the watchman's negligence become part of the operating cost, and the city would become liable for one-third of any damages resulting from its negligence, the Grand Trunk four-fifteenths, and the Canadian Pacific six-fifteenths.

It is perfectly obvious that the watchmen are not employed for any purpose other than that of protecting the public, a matter in which the municipality is primarily interested, and as a matter of first impression the railways' contention might appear just. I am, however, of the view that the city should not be responsible for any damages occurring as a result of negligence of the watchmen. It is the railway peril

that the watchmen are employed to avert. His work is of necessity linked up with the operation of trains and engines, over which the municipality has no control, and the scope of his duty can be much more properly looked upon as an added railway responsibility to the cost of which the interested municipality has to contribute, but is not responsible for its observance.

In so far then as the city is concerned, I would dismiss the application. While I am convinced that no injury is worked upon the railway companies in so doing, any contrary direction would have a far-reaching effect and add very large responsibilities to those already borne by municipalities. As between the two railway companies, it occurs to me there are two ways in which the question can be dealt with: in the first instance by providing that both railways shall be liable for any accidents which happen as a result of the watchmen's negligence; the other by treating the watchmen as agents of the railway, whose operation has caused the injury complained of. Each railway company has to advise the watchmen as to the movement of its trains, and the question of the negligence of watchmen is more or less bound up with the possibility of negligence of other servants of the operating railway in the manner in which the trains are operated over the crossing.

I am of the opinion that the watchmen should be considered as the agents of the company whose trains or engines do the damage.

The application is an alternative one; first, asking that the amount paid in damages should be made part of the operating cost, the effect of which would make the city responsible for one-third of the damages; or that the damage should be borne by the company whose trains or engines do the damage. The order should therefore, go on the latter alternative, dismissing the first.

The question of pedestrians lifting the gates when down was mentioned at the hearing. At least one fatality has been caused by a man ducking under the gate in front of a passing train, at this crossing, and the report of the Board's inspector on observation made by the Grand Trunk Railway shows that on one occasion no less than sixteen people, comprising 11 men, 3 women, and 2 children, got under the gates and ran across in front of an approaching engine. On another day 12 people, composed of 6 men, 1 woman, 2 boys and 3 little girls crossed in front of another engine when the gates were down: later on during the same day 14 people, comprising 9 men, 2 women and 3 small children ran across in front of another engine. Providentially in these illustrative cases no injury resulted, but it is obvious that if the object for which the gates are erected is not carried out there is little use of their being erected. Complaints being made to the railway company it appealed to the chief of police, who very properly pointed out that he was not aware of any law under which the police could proceed against pedestrians who pass under gates when they are down.

This difficulty is not by any means confined to this crossing, although Royce avenue is probably one of the most dangerous crossings, but the dodging under gates is by no means confined to it.

I am of the opinion that the Board should issue an order dealing with the question covering the proper operation of gates that are supposed to be lowered before the movement of trains. Since at least one accident has occurred at this crossing because the gates were not lowered as they should be. I find no order directly casting this obligation on the watchmen. This should now be done. The order should also prohibit passage over railway tracks when gates are down, and railway companies should be compelled to affix to, or prominently near gates legible notices warning the people that it is illegal to cross tracks when gates are down, and that offenders are liable to prosecution according to law.

Assistant Chief Commissioner Scott and Mr. Commissioner Goodeve concurred.

SESSIONAL PAPER No. 20c

COMPLAINT OF MESSRS. AUGER & SON, QUEBEC, QUE., AND D'AUTEUIL LUMBER COMPANY AGAINST PROPOSED SUPPLEMENT NO. 1 TO CANADIAN PACIFIC RAILWAY TARIFF C.R.C. E-2847, WHICH CANCELS THE RATES FROM A NUMBER OF POINTS ON THE CANADIAN PACIFIC RAILWAY TO MECHANICVILLE, N.Y., VIA BOSTON & MAINE RAILROAD.

Judgment, Mr. Commissioner McLean, August 4, 1915:

By Order No. 23020 of December 22, 1914, and on the applications of Messrs. Auger & Son and the D'Auteuil Lumber Company of the City of Quebec, Que., the following tariffs were suspended pending hearing, viz., Supplement No. 1 to the Canadian Pacific Railway Company's competitive proportional and joint freight tariff C.R.C. No. E-2847, published to become effective January 4 1915, and Supplement No. 16 to Grand Trunk Railway Company's special local, joint, and proportional tariff C.R.C. No. 2588, published to become effective January 4, 1915. The tariffs in question provided for increases on pulpwood to Mechanicville, N.Y., via the Boston & Main Railroad.

The matter came on for hearing on January 19, 1915, and thereafter stood for submission of written arguments.

Mechanicville is in New York State about 20 miles west of the boundary of the State of Vermont, and within 23 miles of the extreme westerly limit of the Boston & Maine system at Rotterdam Junction, where that company connects with the Western Railway System.

The Grand Trunk delivers to the Boston & Maine at Sherbrooke, while the Canadian Pacific Railway makes delivery at Lennoxville, Que., or at Newport, Vt. There is also an alternative route via Rouses Point, N.Y., where delivery is taken by the Delaware & Hudson Railroad. The complaint, however, is not directed against the movement by this route. It is not sought to advance the pulpwood rates by this route. The switching charges of the Boston & Main at Mechanicville, however, apply. The evidence showed that the points considered most important were Sherbrooke, Que., and Lennoxville, Que.

From Sherbrooke to Mechanicville is 312 miles; from Lennoxville the distance is 309 miles; while from Newport the distance is 272 miles. Newport is of negligible importance in connection with the movement, as very few cars move by this connection. On the movement from Sherbrooke, 34·86 miles is within Canada. On the movement from Lennoxville, 31·95 miles is within Canada.

Exception was taken by counsel for the Boston & Main Railroad to the Board's exercising jurisdiction. This exception had two phases. Exception was taken as to the exercise of the jurisdiction in respect of the portion of the movement within Canada. It was stated that the only Canadian road operated by the Boston & Maine Railroad is the Massawippi Valley, which is a provisionally incorporated road. Reference was made in this connection to the decision of the Supreme Court of Canada in *Montreal Street Railway Company* v. *City of Montreal, 11 Can. Ry Cas. 203; 43 S.C.R., 197;* and counsel questioned the constitutionality of the jurisdiction which is conferred by 8 & 9 Edw. VII, chap.-32, sec. 11, which provides for amending section 5a. It is sufficient to say that Parliament having legislated, it does not appear to be the function of this Board to state whether this legislation is *ultra vires* or not.

Exception was also taken on the ground that the bulk of the haul and the bulk of the rate concerned was in respect of a movement falling within the United States. In this connection reference may be made to the decision of the Board in the Essex Terminal Railway Case, File 24129, where the practice of the Board is set out as follows: "As a matter of practice, the Board in the past has dealt with international joint tariffs having regard to the outward movement only, and speaking generally has not interfered in any way with any tariff properly filed under American practice directly applying to a joint movement into Canada." It does not appear necessary to deal with the jurisdictional phase here.

Effective October 26, 1914, the Boston and Maine Railroad published and filed with the Board and the Interstate Commerce Commission a mileage commodity tariff on pulpwood, stated to have been prescribed by the Public Service Commission of New Hampshire. This tariff was filed to apply locally between the company's stations in both countries. This tariff gives rates up to 305 miles, the rate for the 290-305 mile group being 7·7 per 100 pounds. The tariffs which are involved in the present application are made up of the sum of this 7·7 rate, as asked for by the Boston and Maine, and the Canadian companies' proportions of the previous through rates.

While the movement is on a through rate from the initial point on the Canadian originating line, it has to be recognized that the Board has already dealt with the question of the proportion of the through rate accruing to the Grand Trunk and Canadian Pacific Railway Companies. In *International Paper Co. v. Grand Trunk, Canadian Pacific, and Canadian Northern Ry. Cos., 15 Can. Ry. Cas., 111,* the Board found that certain increases therein applied for were reasonable. The tariff now attacked is built up of the portion thus found reasonable and the new arbitrary which the Boston and Maine proposes to put in.

The question involved, in view of the former action of the Board, is whether the proposed arbitrary is reasonable. At present the rates to Mechanicville from points on the Canadian Pacific east of Lennoxville are 10½ cents and 9½ cents, according to the group. For example, the rate from Megantic is 10½ cents; from Magog 9½ cents. From Megantic to Lennoxville, a distance of 65 miles, the Canadian Pacific's proportion is 5½ cents; for the balance of the distance the existing Boston and Maine arbitrary is 5 cents. In the case of the movement from Magog, the distance from Magog to Lennoxville is 22. Here the Canadian Pacific's proportion is 4½ cents, while the Boston and Maine arbitrary for the balance of the distance is 5 cents. To make the record complete, reference may be made to Newport, although Newport, as has been indicated, is not an important point in the present application. The increase in the arbitrary as proposed by the Boston and Maine through Sherbrooke or Lennoxville is 2⁷⁄₁₀ cents, while it is 2³⁄₁₀ cents in working through Newport.

In support of the increased rate, it is contended by the railway that the existing rate system is discriminatory, and that it is also unremunerative. The allegation of discrimination relates to the rates to Bellows Falls, Vt., and Turner's Falls, Mass., which are the only two paper-making points on the direct line between Sherbrooke and Mechanicville. The proportions received at these two points are higher than in the case of the haul to Mechanicville. It does not appear necessary to go into this phase of the matter. Apparently the through rates to a greater or less extent have been built up with considerable disregard of the long and short haul provision. The question whether the present rates are adequately remunerative is the matter which is the more important.

By Exhibit 2, it is set out that during the calendar year 1913 there were moved from Canadian points to Mechanicville via Newport, Lennoxville, and Sherbrooke on the Boston and Maine, 2,188 cars—a total tonnage of 46,110 tons. This tonnage originated on the Canadian Pacific, the Grand Trunk, Quebec General and Intercolonial railways. On the Quebec General and Intercolonial railways, which are not subject to the jurisdiction of the Board, 95·8 per cent of the traffic involved originated.

At the hearing, the railway stated that the cars of pulpwood moved as follows: the cars are received at Sherbrooke, for example, and hauled in one train from Sherbrooke to Newport, where they are re-sorted and classified in a train that runs from Newport to White River Junction. Then the cars are moved from White River Junction to Greenfield and thence from Greenfield to Mechanicville. It is stated that there are four break-up yards in the distance through which these cars had to pass. It is further stated that there is not the business to make up a train for Mechanicville

at any point until Greenfield is reached. From Greenfield to Mechanicville the distance is 98 miles. As has been indicated, the submission in Exhibit 2 states that 2,188 cars were handled during the year in question over the Boston & Maine. The applicant states that about 3,000 cars a year are handled over he Boston & Maine to the plant at Mechanicville—an average of ten cars per working day.

The method of handling these cars has, of course, a bearing on the cost. It appears that an opportunity for train-load movement is not available until Greenfield is reached. It is not stated in evidence just what the number of cars moving in train-load from Mechanicville to Greenfield is.

Cost estimates were submitted by the railway showing that while the average rvenue per car was $21.07, the average cost of service per car was $24.98. This, it was alleged, was attributable to the operating movement which has been referred to. This statement of cost is exclusive of maintenance, overhead charges, etc.

The cost figures submitted by the railways were not subjected to detailed criticism by the applicants. Mr. Ferguson, traffic manager of the West Virginia Paper Company, while contending that the cost to Mechanicville would be about the same as to other points on the Boston & Maine, said that he would admit that the cost figures the railway prepared were as close as could be obtained.

The applicants have contracts involving 40,000 cords, 30,000 being handled by Anger & Son, the balance by the D'Auteuil Lumber Co. The railway states that this pulpwood loads about 20 tons to the car; the applicants state 45,000 pounds, so that there is only one-quarter of a ton between the applicants. Evidence was not given as to the weight of the pulpwood. At the hearing in the International Paper Case, above referred to, in which the present applicants were also parties, it was stated that rossed pulpwood ran about 3,000 lbs. to the cord, and that a car loaded about 15 cords.

Reference was made to the bearing of the outbound haul from the paper mill upon the question of the rate inbound, as an argument for a low basis on the inbound rate. Counsel for the applicants contended that this was a factor of importance. This, however, was denied by the railway, which stated that little or no outbound product was obtained. Whatever the difference in situation may be in this respect, even if there were an appreciable volume of traffic being handled outbound from the paper plant at Mechanicville, it does not appear how the Board can give any weight to this, since the point of origin is within the United States. Mention may be made of the fact, however, that in Canada the rate under the special mileage pulpwood rates applied locally is for a distance of 312 miles, and where the railway gets the haul of the manufactured product outbound, 8½ cents.

The arbitrary of 7.7 cents, which is proposed, is the amount allowed for the 290-305 mile group of the mileage commodity tariff on pulpwood above referred to. Had the mileage tariff been extended progressively, it would have covered the 312 miles from Sherbrooke to Mechaniesville, and the rate would have been 7.9 cents.

Under the existing division of the rate, the Boston and Maine obtains from Lennoxville 3⅗ mills per ton per mile. The operating ratio of the Boston and Maine for the year ending June, 1914, was 80.77 per cent. Mr. Ferguson, in his evidence already quoted, was of the opinion that average conditions of cost applied in respect of the movement to Mechanicville. On this basis, applying the average operating ratio, the net return to the company would be approximately ⅗ of a mill per ton per mile. Under the proposed arbitrary, by way of Lennoxville, the Boston and Maine received 5 mills per ton per mile, which would give a net revenue of one mill per ton per mile. Via Sherbrooke, the Boston and Maine revenue per ton per mile is 3⅗ mills. Under the proposed arbitrary, the revenue would be 4⅗ mills; that is to say, on the present arbitrary the present net return is approximately ⅗ of a mill, while on the proposed arbitrary the net return would be slightly less than one mill.

The earnings per car mile are also to be looked at as an index of the reasonableness of the existing rates, as well as of the proposed rates. Sherbrooke and Lennox-

ville being the important points, an average of their mileage may be struck. The characteristic mileage will be 310. The 2,188 cars involved in the statement set out in Exhibit 2 above referred to would thus have a mileage of 678,280. This would give an earning per car mile of 6·8 cents. A further question is the extent to which the traffic is a one-way movement, as the total earning power of a car is affected by the question whether the return load is available or not. In a statement from the Superintendent of the Car Service of the Boston and Maine, dated January 1, 1915, and filed by the railway at the hearing, it is stated that practically all of the traffic is handled in so-called pulpwood racks, which are essential to the shipper and consignee in order to facilitate loading and unloading. It is said that on account of the design of the car it cannot be made available for any return traffic, and that all such cars must move empty in return. On the other hand, it is stated by Mr. Auger in evidence that only from 10 per cent to 15 per cent of the cars are racked. It was also stated in evidence that the bulk of the movement in which the applicants are concerned moved in box cars.

Taking the estimate that 15 per cent of the cars were supplied with pulpwood racks and therefore did not return under load, it will be found that this additional mileage gives a total of 780,022, which gives a car mileage earning of 5·9 cents. On the revised figures based on the proposed arbitrary the car mile earnings would be 10·4 cents, while on the computation allowing for the 15 per cent empty mileage, due to empty pulpwood racks, the return would be 8·9 cents per car mile.

As has been indicated, it is not set out just to what extent the pulpwood moves in train lots. It is, however, stated that the nature of the traffic movement is such that there cannot be a train made up for Mechanicville before the traffic reaches Greenfield. This is not controverted. Further, it is stated that the Paper Company takes about 10 cars per day. This, however, is given as an average. The average train load on the Boston and Maine for 1914 was 314·41 tons. Taking the average loading of pulpwood as 20¼ tons, an average train load of pulpwood would represent 15½ cars. The following computations, therefore, are available:

Present arbitrary—

(1) 6·8 cents by 15·5—$1.05 per train mile.

(2) Correction for empty mileage, 5·9 by 15·5—0·91 per train mile.

Proposed arbitrary—

(1) 10·4 by 15·5—$1.61 per train mile.

(2) Correction for empty mileage, 8·9 by 15·5—1·37 per train mile.

The average earnings of the railway per freight train mileage during 1914 were $3.32.

Applying the average operating ratio to the train mile earnings, which would thus be available under the proposed arbitrary, No. 1 would give a net revenue of 30⁹⁄₁₀ cents per train mile, while No. 2 would give a net revenue of 26⁵⁄₁₀ cents per train mile.This is to be compared with the net revenue per freight train mile for the whole system of 63⁸⁄₁₀ cents.

The Board in *Canadian Freight Association* v *Cadwell, Sand and Gravel Co., 15 Can. Ry Cas., 156,* held that in the case of the movement of brick from Bradford, Pennsylvania, to Windsor, Ont., the Grand Trunk's division of the through rate amounting to $1.20 per ton for a distance of 230 miles was not unreasonable. The division in question worked out a ton mile rate of 5³⁄₁₀ mills.

The Board in *Canadian Freight Association* v.*Cadwell, Sand and Gravel Co., 15* tional Rate" Order, the spread on 10th-class between the 201-230 mile group and the 291-320 mile group is one cent for each 30-mile group. In the case above referred to, the proportional on a 10-class commodity was 6 cents. Stepping this on the basis of what has been given, there would be a step of half a cent for each 30-mile group,

i.e. an addition of 1⅜ mills for each ten mile haul. This would give a rate of 7½ cents per 100 on the extended mileage for a movement of brick falling within the 291-320 mile group.

Both brick and pulpwood are 10-class commodities, although they move almost exclusively on commodity tariffs. In point of value they are substantially the same. in the Cadwell case, the brick concerned was worth from $7.33 to 8.66 per ton. From the evidence at the hearing in the present application, pulpwood is $10.50 per cord. The evidence was concerned with the rossed pulpwood. The price per ton would, therefore, be $7 per ton.

Identity of classification rating and similarity in point of price would point to similar rate treatment, unless there are additional traffic conditions to be considered. One factor to be considered is the loading and consequent earning power.

The pulpwood, as has been indicated, loading 20.25 tons per car, gives, on the uncorrected mileage, and under the proposed arbitrary car mile earnings, 10·4 cents. In the Cadwell case, the brick loaded 29·3 tons per car. This would, on the rate of 7·5 cents for the extended mileage, give car mile earnings of 14·5 cents as against earnings of 10·4 on the pulpwood.

The rates as proposed are reasonable and should be allowed.

The contracts involved expire, some in August and others by November 1, 1915. In the hearing in the International Paper Case above referred to, application was lodged August, 1912. By consent, the matter was postponed to November 1, 1912. The matter was dealt with on February 24, 1913, and in order to afford a reasonable time for completing existing contracts the effective date was further postponed to August 15, 1913. That is to say, five and a half months extension was provided. In the present application, an extension to November 1, 1915, is reasonable. Subject to this provision, the tariffs in question may be allowed.

Chief Commissioner Drayton, Assistant Chief Commissioner Scott and Deputy Chief Commissioner Nantel concurred.

NORTH TORONTO GRADE SEPARATION.

Judgment, Chief Commissioner DRAYTON, August 6, 1915:

Application has been made by the Toronto Railway Company for leave to appeal from the Board's order directing that company to contribute to the cost of subway at Avenue road.

The application was opposed by the Canadian Pacific Railway Company and by the City of Toronto.

My view, as expressed at the hearing, is that leave should be granted. The position taken by those opposing the application was that, in so far as any questions arising under the agreement between the city and the railway company were concerned, the same questions had already been considered adversely to the applicant in the Ottawa Electric Railway Company vs. Ottawa and the Canada Atlantic Railway Company (5 C.R.C. 131.)

While it is true that the considerations submitted to the Supreme Court in that case were entirely similar to the questions which can be fairly raised in the present application, the agreements in question are not the same, and the Ottawa Electric Railway is a Dominion incorporation directly subject to the Board's jurisdiction, while the Toronto Railway Company is a provincial incorporation.

The parties were not agreed at the hearing as to the facts; and, as I had acted for the city at the time the question first arose, is would, of course, be entirely improper for me to pass one way or the other on any issues of fact which could be open to controversy, or indeed on any contentious legal question. Under such circumstances, the matter of the whole application was left to the learned Assistant Chief Commis-

sioner, who has since delivered a judgment covering the issues of fact raised on the argument for leave to appeal, that issue being as to whether or not the jurisdiction of the Board was exercised by it in the interest of public safety.

The counsel for the Toronto Railway Company strongly objected to the delivery of this judgment; and, after the application for leave to appeal had been made, also contested the accuracy of its findings.

My own view is that not only has the learned Assistant Chief Commissioner the right to deliver extended reasons for his judgment at any time he desires, but that it was his duty so to do in case any pertinent issue has not been covered in his previous reasons.

Under the Act, questions of fact have to be disposed of by the Board, and all accessory findings of fact should be made by the Board so as to relieve the justices of the Supreme Court from the consideration of all issues except the question of law submitted. I shoud also state that while the reasons for the Board's action in allowing the railway company to appeal, at the same time insisting on including in the case the recent judgment of the learned Assistant Chief Commissioner, here delivered by me, this is done owing to the fact that Mr. Scott was absent when the application for leave to appeal was made, but he has gone over the record, and the conclusions herein arrived at are his conclusions.

An order will therefore go in the folowing terms, giving the Toronto Railway Company the right to appeal on all the points of law which have been raised.

Assistant Chief Commissioner Scott concurred.

Order No. 24057.

THE BOARD OF RAILWAY COMMISSIONERS FOR CANADA.

In the matter of the application of the Toronto Railway Company for leave to appeal from the Order of the Board directing the said Toronto Railway Company to bear a portion of the cost of the subway at Avenue road, in the City of Toronto, constructed under the Order of the Board:

H. L. DRAYTON, K.C.
Chief Commissioner.

D'ARCY SCOTT,
Asst. Chief Commissioner.

Upon hearing Counsel for the Toronto Railway Company, the Canadin Pacific Railway Company, and the Corporation of the City of Toronto,

It is ordered

That permission be given to the Toronto Railway Company to appeal to the Supreme Court of Canada upon the following questions of law:—

1. Whether the Board had power to order the Toronto Railway Company to contribute to the cost of the construction of the subway in question.

2. Whether by reason of the terms of the agreement between the Toronto Railway Company and the City of Toronto, dated the first day of September, 1891, the Toronto Railway Company should have been ordered to contribute to the cost of the said subway.

3. Whether the Toronto Railway Company was entitled, under the said agreement, to have the City of Toronto furnish to it the said Company, for the use of the said Company in the exercise of its running powers, a street or highway known as Avenue road, including that portion of the said street where it is crossed by the tracks

of the Canadian Pacific Railway Company (either with the grade formerly existing or at the grade constructed under the Board's Order), and whether if such was the effect of the said agreement, the Toronto Railway Company should have been ordered to contribute to the cost of the said subway.

(Sgd.) H. L. DRAYTON,
Chief Commisioner,
Board of Railway Commissioners for Canada.

R. B. McCLEAN GRAIN COMPANY AND MILLING-IN TRANSIT PRIVILEGE.

Judgment, Chief Commissioner DRAYTON, August 6, 1915:

An application has been made by the R. B. McClean Grain Company, Limited, of Saskatoon, asking, in effect, that the milling-in-transit privilege be extended to the Government elevator at Saskatoon. In principle, the application also covers the Government elevators at Calgary and Moosejaw.

The present milling-in-transit, of course, only allows for the one stop-off, and the applicants were anxious that an additional stop-off be given, which would enable the farmers and grain dealers to have their grain treated and weighed at the Government elevator and then proceed in the easterly movement at the through rate plus the usual stop-over charge, instead of moving at the local rate, the effect of which would be, of course, to practically prevent the additional stop-off.

The case was heard at the recent sittings in Saskatoon, Calgary, and Regina, so that the facts might be developed, although the Board had already held that such a privilege is one which it has no jurisdiction to order, the Board's jurisdiction as to privilege being confined to questions of discrimination.

At the conclusion of the last hearing the Board requested the railways to take up the question with a view of providing a remedy, and Mr. Lanigan has now written stating that the railways have arrived at the following, which they believe to be the only practical solution:—

> "Grain stored in transit in Dominion Government interior elevators at Calgary, Moosejaw, and Saskatoon, and forwarded under transit regulations, will be granted an additional stop-off at any intermediate milling point for grinding only, in the direct line of transit to Winnipeg or Fort William, or points east thereof. An equivalent tonnage of the product thereof, when forwarded within a period of six months after receipt, may be waybilled at the balance of the through rate from such interior elevator point to destination after deducting the rate paid from the Government Elevator point to the milling point, plus one cent per 100 pounds for the additional stop-off."

I do not know that the solution requires any confirmation by the Board. It will, however, enable the business to obtain the two stop-overs desired.

The arrangement appears fair and equitable, and should be approved.

Mr. Commissioner McLean concurred.

Re TORONTO VIADUCT.

Judgment, Chief Commissioner DRAYTON, August 9, 1915:

At the last sittings of the Board in Toronto Mr. W. W. Vickers appeared as counsel for Mr. F. C. Clarkson, assignee for the benefit of the creditors of the Dominion Grain Company, Limited, Security Investments, Limited, and R. L. Dennison Taylor, and asked that an order be made setting aside the filing of plan against the property held by Mr. Clarkson as assignee, as above, the lands being particularly described in the petition under date of June 11, 1915.

The property in question with other properties is necessary to be acquired by the railways in carrying out their agreement to erect a viaduct on the water front in Toronto. The railway companies have, however, neglected to acquire the land in question which cannot well be handled by the assignee, owing to the filing of the plan, with the result that the assignee can do nothing, and with the further result that, as the property is heavily encumbered, the equity of redemption will disappear and the creditors obtain nothing whatever.

The railways excuse their default by stating that they have no money which will enable them to go on with the work. I hesitate very much to make the order. Owing, however, to the financial conditions resulting from the great war, and also decreased railway earnings, I am forced to admit that there are difficulties in progressing with the work at the moment, but it should go on as soon as possible, as it is also in the interest of all parties to the undertaking that the cost of obtaining the property and the carrying on of the work should be reasonable. As a matter of fairness, however, to the applicant, the order should go if he still desires it.

An effort has been made since the hearing to try and arrange the matter. This effort has been unsuccessful, and an order as asked may issue.

Mr. Commissioner McLean concurred.

APPLICATION OF THE LONDON RAILWAY COMMISSION UNDER SECTION 235, FOR AUTHORITY TO CONSTRUCT TEAM TRACKS ON THE NORTH SIDE OF BATHURST STREET FROM THE JUNCTION OF THE LONDON AND PORT STANLEY TRACKS ON BATHURST STREET NEAR BURWELL STREET EAST TO ADELAIDE STREET, AND A SECOND TRACK ON THE NORTH SIDE OF BATHURST STREET BETWEEN WELLINGTON AND RICHMOND STREETS; ALSO TO CONSTRUCT TRACKS ON THE NORTH SIDE OF BATHURST STREET FROM THE END OF THE TRACKS AT RICHMOND STREET WEST TO THAMES STREETS.

Judgment, Chief Commissioner DRAYTON, August 9, 1915:

The above application came on for hearing at a sittings of the Board held at London, July 15, 1915, at which the property owners who had been duly notified of the application were in part represented. Judgment was reserved and a view of the locus subsequently had.

I first deal with the application as to the construction of tracks on the north side of Bathurst street from the present construction of the London and Port Stanley Company easterly to and across Adelaide street, as shown on the plan filed and accompanying the application.

As has often been said, streets are about the last place to use as a railway right of way. In some cases, however, it appears necessary to depart from the usual principle. Here the municipality is in substance the railway company, and is desirous of subordinating its highway interests to those of its railway. The municipality is the owner of the highway that it is proposed to occupy in part with tracks and the usual considerations accompanying applications of this character certainly to a large extent do not apply.

A property owner opposing the application largely interested is the Grand Trunk Railway Company, which owns the property on the north side of the street where it is proposed to lay the track. The company claims its property will be depreciated and all proper access from the highway cut off. On the view, the representatives of the London Commission stated that the track could be laid at a distance of 16 feet from the line of the company's property, which would afford a reasonable access. I am of opinion that the company's property is not of such a character that the construction of this track would injure it, and would authorize its construction subject to the condition that no rail be laid within a distance of sixteen feet south of the street line.

Mr. G. S. Gibbons, appearing for various property owners, opposed the construction of tracks on the highway. Those of his clients called being interested in property on Bathurst street from Richmond street westerly to Thames street. The first objection taken by Mr. Gibbons was based on the fact that no by-law had been passed by the Municipal Council, and that in the absence of such a by-law, the Board was without jurisdiction. The section in question (235) is as follows:—

> "Subject to the company making such compensation to adjacent or abutting landowners as the Board deems proper, the railway of the Company may be carried upon, along, or across an existing highway upon leave therefor having been first obtained from the Board as hereinafter authorized: Provided that the Board shall not grant leave to any company to carry any street railway or tramway, along any highway which is within the limits of any city or incorporated town, until the company has first obtained consent therefor by a by-law of the municipal authority of such city or incorporated town."
>
> "2. The company shall, before obstructing any such highway by its works, turn the highway so as to leave an open and good passage for carriages, and, on completion of the works, restore the highway to as good a condition as nearly as possible as it originally had.
>
> "3. Nothing in this section shall deprive any such company of rights conferred upon it by any special Act of Parliament of Canada, or amendment thereof, passed prior to the twelfth day of March, one thousand nine hundred and three. 3 E. VII, c. 58, s. 184."

Since the hearing, I have gone over a considerable portion of the London and Port Stanley Railway. It is not a street railway, nor can it be said that it is being operated as such. It is true, of course, that its system is electrified, but any resemblance to a street railway then ceases. The track then that the London Railway Commission desires to lay is not subject to the proviso. It may be also noted that as a matter of fact the track is only desired for the purposes of properly serving the industrial district adjacent, and is for the present being built for freight purposes only.

Mr. Gibbons made a further legal objection based on the provision of the Public Utilities Act, R.S.O. 197, to the effect that before any by-law can be passed by a municipal council granting any corporation or other person the right to use this highway, the by-law must first be submitted to the vote of the electors.

In view of the manner in which the first objection has been dealt with, no by-law is necessary. No grant of any municipal franchise is made. In any event, I am of the opinion that the provision has no application in the present instance. There is no grant to any outside interest so to speak. The London Railway Commission has no beneficial interest in the railway, and to all intents and purposes could well be looked on as a sub or perhaps special branch of municipal activity exercised for the benefit of the municipality and its ratepayers.

While as a usual thing railways on streets are very detrimental, after viewing the locus, I don't think the property can fairly be described as residential. It is rather industrial in character; and, in my opinion—an opinion shared by at least some of the property owners appearing before the Board—is worth more when applied to business purposes. Undoubtedly, to a large extent industrial or business properties are worth more with railway facilities than without. Such facilities the proposed track will supply.

Upon its appearing at the hearing that it was proposed to lay only one track, and that the track on the highway would not be used for storage purposes, several property owners modified their objections. The track also must be either planked or paved between the rails and to a distance of eighteen inches on either side, so as not to prevent the free use of the highway. Sir Adam Beck also undertook that cars would not be loaded on the highway.

Under all the circumstances, I am of opinion that the application should be granted and the track from Richmond street to Thames street authorized, the order to embody the above conditions.

Should the spur be at any time operated in such a way as to prevent proper access to properties or in any objectionable manner, as some of the property owners fear, complaint can at any time be made to the Board.

Mr. Commissioner McLean concurred.

COMPLAINT OF THE SASKATCHEWAN BRIDGE AND IRON COMPANY, LIMITED, OF MOOSEJAW, SASK., AGAINST FREIGHT RATES ON STEEL.

Judgment, Mr. Commisioner McLEAN, August 30, 1915:

The applicant desires to tender for a bridge at Calgary. The situation is that steel is brought from Pittsburg via Minnesota Transfer (St. Paul) over the Soo Line to Moosejaw, where it is fabricated and then shipped on to Calgary. He complains that he is at a disadvantage of 12 cents as compared with the movement via Winnipeg. Steel is shipped from Pittsburg via Minnesota Transfer to Winnipeg, and thence shipped to Calgary. The rate situation is as follows:—

	Cents.
Pittsburg-Minnesota Transfer (Commodity)	38·2
Minnesota Transfer-Winnipeg (Class)	32
Winnipeg-Calgary (Class)	56
Through	126·2
Pittsburg-Minnesota Transfer (Commodity)	38·2
Minnesota Transfer-Moosejaw (Class) Via Portal (Soo Line).	64
Moosejaw-Calgary (Class)	36
Through	138·2

DIFFERENCE AGAINST MOOSEJAW—12 CENTS.

Omitting the movement from Pittsburg to St. Paul which is common both to the movement to Winnipeg and Moosejaw, the situation is that the total mileage from St. Paul to Calgary, via Winnipeg, is 1,295 miles; and from St. Paul to Calgary, via Moosejaw, it is 1168 miles; that is to say, the movement by way of Winnipeg is 127 miles longer.

The rate from St. Paul to Winnipeg is 32 cents. While the distance from St. Paul to Winnipeg is 458 miles, the rate is not made on that distance. The policy of the American lines is to give Minneapolis and St. Paul the same rate as Duluth. Duluth is 397 miles from Winnipeg consequently the St. Paul rate is made on this shorter mileage. The "town" tariff rate is not applicable on the movement from St. Paul to Emerson, nor is it applicable on the movement from Emerson to Winnipeg. If it had been applicable for the distance of 458 miles, the rate would have been 37 cents. If the traffic were moving the same distance in Canada between two points covered by the prairie scale, and if neither of these points was a "town" tariff point, the rate on the prairie mileage scale would be 44 cents. It is thus apparent that as the result of the Duluth rate controlling the St. Paul rate, the actual rate is 5 cents less than would have applied on the actual movement from St. Paul if the Canadian "town" tariff rate had been applicable, and 12 cents less than would have been the case had the Canadian standard prairie scale applied.

From Moosejaw to Calgary, the distance is 438 miles. The "town" tariff rate applies. Consequently, in respect of the movement out of Winnipeg and a movement out of Moosejaw, both are on the same basis, subject, of course, to the effect exercised by the tapering of the rate on the longer haul.

On the movement from St. Paul to Moosejaw, the "town" tariff rate does not apply. Of the total distance of 730 miles between these points, 168 miles, that is the distance between North Portal and Moosejaw, is within Canada. On the 562 miles from St. Paul to the boundary, a higher rate basis applies than on the movement from Winnipeg. There is no "town" tariff from North Portal; and even if there were the advantage of the "town" tariff would not be applicable unless the steel were stopped in transit at North Portal to be fabricated and shipped beyond. It may be noted that the rate charged is two cents higher than would be the case on the same mileage under the standard prairie scale.

To sum up the matter, the situation when analyzed is as follows:—

1. There is a low rate basis into Winnipeg which is brought about by the policy of the American lines in making the Minneapolis and St. Paul-Winnipeg rate on the basis of the shorter mileage via Duluth. This rate is divided on percentages, and for the distance of 66 miles from Emerson to Winnipeg the Canadian carrier receives 32½ per cent of the rate, or 10·4 cents. At the same time, the haul by the Canadian carrier represents 14 per cent on mileage. The rate being controlled as indicated, it happens that the division received, viz., 10·4 cents is practically identical with the "town" tariff rate for the same distances, viz., 10·5 cents.

2. On the movement from St. Paul to Moosejaw, the factor of a correlated shorter mileage point is not present to hold down a portion of the rate.

3. On the movement from the Canadian boundary at North Portal to Moosejaw, a distance of 168 miles, no "town" tariff is applicable. On a movement of the same distance from a Canadian point into Winnipeg, no "town" tariff would be applicable.

4. On the movement via Winnipeg, the "town" tariff is effective from Winnipeg to Calgary, a distance of 837 miles. On the movement via Moosejaw, the "town" tariff is effective only from Moosejaw to Calgary, a distance of 438 miles.

5. Of the movement to Moosejaw, 562 miles is within United States territory. The rate is higher than in Canada.

The situation is, then, that for a haul of 730 miles to Moosejaw, the rate charged is higher than it would be under the Standard mileage of the prairie scale. There is no difference in rate treatment in respect of movements in Canada as between similar movements into and out of Winnipeg on the one hand and into and out of Moosejaw on the other. There is a higher rate basis on the haul in the United States. Here the Board has no jurisdiction.

Chief Commissioner Drayton concurred.

Re DRAFT ORDER GRANTING COMPULSORY CONNECTION OF INDEPENDENT TELEPHONE COMPANIES' LINES WITH THE BELL TELEPHONE COMPANY'S LINES FOR LONG DISTANCE MESSAGES.

Judgment, Assistant Chief Commissioner Scott, September 2, 1915:

This matter has been before the Board for some time. The powers and duties of the Board, under the statute, were laid down by the late Chief Commissioner Mabee in a judgment of his delivered orally at a sittings of the Board in Toronto on the 10th day of May, 1911 (evidence volume 128, pp. 3840, *et seq.*), in which he dealt more particularly with the conditions at Ingersoll where the Ingersoll Company desired compulsory connection with the Bell Telephone Company, and which is part of this case.

The late Judge Mabee's judgment has not been set aside or overruled, and while the method of ascertaining the compensation to be paid the Bell Telephone Company for compulsory connection is to be varied by this Board, the construction of the law and the principles laid down by the late Chief Commissioner are still followed.

The parties interested in this case have spent a good deal of time and have been at much pains in an endeavour to agree on terms and conditions which the Board might embody in the order it contemplates issuing in this matter.

At a sittings of the Board on the 25th March last, it appeared that the parties had agreed upon all the clauses of a draft order, except clauses 6 and 7. The independent companies desire to have these clauses read as follows:—

> 6. No surcharge or other charge, save the ordinary long-distance tolls, shall be made by the Bell Company to a municipal corporation, independent company, or system, which is non-competing; nor for districts of such, which districts are non-competing.
>
> 7. In the case of competing companies and systems, each such competing company or system shall pay to the Bell Company the following annual charges, payable half yearly in advance from the day of connection hereunder, namely:—
>
> (*a*) The sum of $100 so long as such company or system has not more than 250 subscribers in competitive districts.
>
> (*b*) The sum of $200 so long as such company or system has over 250 subscribers, but not more than 600 subscribers in competitive districts.
>
> (*c*) The sum of $300 so long as such company or system has more than 600 subscribers in competitive districts.

The parties are agreed on the wording of clause 6, down to the word "non-competing," which is the fourth word in line 4. The remaining portion of the draft clause is desired by the independent companies, but opposed by the Bell Company.

Both these clauses introduce the question of competition between the independent company that applies for long-distance connection and the Bell Company. I cannot see how this Board is concerned with the question, whether the company applying for connection is or is not in competition with the Bell. If the companies are unable to agree, then according to the statute the company desiring the connection may apply to the Board and we have power to order the connection upon such terms as to compensation as the Board deems just and expedient. It is where the companies do not agree that we must fix terms. There is nothing said in the statute about competition between the companies. I do not think it is incumbent upon us in fixing the terms of the order to decide what is competition or when it exists. What the Board is concerned with in such an application, is settling the terms on which connection shall be given, the parties having been unable to agree. The jurisdiction is initiated not by the reasons for lack of agreement, but by the fact that agreement cannot be arrived at.

At the same time clause 6 is not a clause which is being ordered by the Board, nor is it in strictness a clause which would come within the scope of the present order. It is, however, desired by the applicants, and there is agreement between the parties as to the language used in respect of a portion of the clause. There is nothing to prevent the parties so agreeing, although the jurisdiction of the Board is as above set out. The portion of the clause to which the parties are not in agreement, viz., "nor for districts of such, which districts are non-competing," should be stricken out. This portion of the clause as it stands means that in case of dispute there will be an appeal to the Board to determine what districts are non-competing; but the jurisdiction of the Board is as has been pointed out above. Subject to this understanding, clause 6 may be placed in the order as follows:—

> "On the request of the applicants, the Bell Company agreeing thereto, it is agreed that no surcharge or other charge, save the ordinary long distance toll, shall be made by the Bell Company to a municipality, corporation, independent company, or system which is non-competing."

If we order compulsory connection it will be upon the terms of our order, and the Bell Company cannot make any charges, which will not be authorized by this Board, for the service it would be called upon to perform.

Clause 7 should be amended by eliminating all reference to competitive districts. In my view clause 7 should read as follows:—

> Each of the applicants so connected shall pay the Bell Company the following annual charges, payable half-yearly in advance, from the date of connection hereunder, namely:—
>
> (*a*) The sum of $100 so long as such company has not more than 250 subscribers.
>
> (*b*) The sum of $200 so long as such company has over 250, but not more than 600 subscribers.
>
> (*c*) The sum of $300 so long as such company has more than 600 subscribers.

It was pointed out at the hearing in March last that the applicant company should be limited in the number of its points of connection, and it was agreed that the following clause should be inserted in the order:—

> "That the applicant company shall for the above annual fee be entitled to only three points of connection; for each additional point of connection the annual payment should be fixed on the basis of the above schedule, having regard to the number of subscribers covered by such additional connection."

I think an order should now issue on the lines of the draft before the Board, modified as I suggest.

Deputy Chief Commissioner Nantel and Commissioners McLean and Goodeve concurred.

Judgment, Chief Commissioner DRAYTON, Sept. 3, 1915:

The issues in this case involve the consideration of the rights of the Bell Telephone Company, the so-called independent telephone companies, and the public.

I very much regret to be unable to agree with my learned colleagues and with the learned late Chief Commissioner, Mr. Justice Mabee, as to the manner in which long-distance connection between the Bell Telephone Company and other telephone companies should be considered.

The gist of the whole matter lies in the question of compensation which the former order gave and which a proposed order in another form will give the Bell Telephone Company.

I entirely agree that the long-distance connection with competitive independent companies is disadvantageous to the Bell Company and is advantageous to the independent companies. Perhaps the best evidence of the fact is that the independent companies appear to ardently desire and urgently press their claims for the connection, and the Bell Telephone Company, with equal insistence, opposes it. I have no doubt that both companies know their business well and are following their own interests.

The issue of this question cannot be more clearly put than by the learned late Chief Commissioner in his judgment in the Ingersoll case; and the experience of the Bell Company since connection was there made corroborates the results that he expected to flow from the connection.

With the greatest deference, however, I am of the opinion that damage to the business of the Bell Telephone Company resulting from the more advantageous service that the Independents can offer after the connection is made, is not a question that this Board is concerned with.

As I read the section of the Act dealing particularly with the question, the compensation which the Board deems just and expedient, and may order and direct, is

compensation for the actual use, connection, or communication—for the actual facility supplied and for its subsequent use—and cannot be construed so as to include compensation for loss in business which the Bell Telephone Company may experience as a result of the operation of the Independent Companies after the subscribers of such companies may have the benefit of long distance connection.

The possible loss of the Bell Telephone Company is the same in character as that suffered by the railway company first on the ground and enjoying the business of any particular industrial area, and which under the appropriate sections of the Act as to interchange tracks and interswitching practice, finds that business in part at least taken from it. The remarks of the learned late Chief Commissioner, Mr. Justice Killam, in his judgment in the London Interswitching Case, I think applicable. He says:—

> "With the progress of invention, new enterprises are continually supplanting or injuring old ones to the ruin or loss of those interested in the former. Railways have not only directly affected in this way former modes of transportation, but they have also been instrumental in building up particular localities or enterprises at the expense of others. It has never been the policy of the law to afford compensation for losses thus occasioned. When the legislature authorized the construction of new lines of railway in competition with those formerly existing, this is not done with a view to benefit the promoters of a new line or to injure those interested in the old ones, but solely for the public good.
>
> "The provisions of the Railway Act which require railway companies thus to interchange traffic at connecting points are introduced, not for the purpose of benefiting one railway company at the expense of another, but solely in the interest of the public. The law cannot recognize anything in the nature of a good will of the business of either railway company thus affected, for which another should give compensation. In my opinion, the division between railway companies of the joint rates for traffic thus interchanged should be made upon the principle of giving reasonable compensation for the services and facilities furnished by the respective companies in respect of the particular traffic thus company or the other at particular points or the respective advantages which each can offer to the other there, or a comparison of the loss which the one is likely to sustain with the gain likely to accrue to the other from the giving of the facilities which the law requires.

It must be borne in mind that the general scheme of the Act, in so far as the question considered by the learned Chief Commissioner in the above judgment, would apply to telephone companies; telephone companies subject to the legislative authority of the Parliament of Canada being bound by the provisions of section 317 of the Act, the section considered in the London case. The Bell Telephone Company would appear bound to afford the subscribers of the Independents just as much as members of the general public that may seek to go into a long distance station that the Bell Telephone Company at its own expense provides, all reasonable and proper facilities for the forwarding of telephonic messages—a service which must be performed without discrimination or preference.

Under subsection 4 of the same section, telephone companies under the jurisdiction of the Board are, in my mind, so obliged to arrange their facilites, i.e., wires, in cases where their telephone wires are approached by the wires of other companies, in such a manner as to give no obstruction to the public desirous of using the joint system as a continuous line of communication.

It is but fair to point out that the parallel that I draw is subject to the fact that Section 228 gives power to the Board to order interchange in different language to the section giving the Board jurisdiction to order the long distance connection between

telephone companies and that the discretion of the Board as to terms may not be as broad as in the case of telephone connection.

I am, however, unable to read even the somewhat extended clause here applicable as creating a new and novel law of compensation covering the business losses suffered by one public service corporation as the result of competition with another public service corporation.

It must also be borne in mind that the losses which may occur to the Bell are not in connection with the long distance business, (the effect of connection, speaking generally, tends to increase it), but result from the loss of local subscribers and their annual rents.

I much regret the result, not only because I am unable to agree with my learned colleagues, but also because I fully appreciate the evils of telephone duplication. With Government regulation this duplication is merely a waste of money. Two services can never be maintained in a district as cheaply as one; and the duplication simply makes for public inconveneince. In my mind, no telephone company whether Bell or Independent should be allowed to construct in territory already served by another.

Telephone rates and charges are subject either to the jurisdiction of this Board or of the appropriate Boards in the different provinces. The experience has already been had in Ontario in at least one municipality that when the Bell Telephone Company's business has been lost, as a result of popular sympathy for and support of the local institution, that after the local telephone company has sole possession of the field, the rates go up. It may also be noted that the rates of the Bell Telephone Company, subject as they have been to commission regulation, compare very favourably with rates charged on Government systems. So far as rates are concerned, competition in the telephone business seems unnecessary.

EXTENSION OF BIRCH AVENUE, HAMILTON.

Judgment, Chief Commissioner DRAYTON, September 4, 1915:

In the year 1911, the corporation of the city of Hamilton desired to extend Birch avenue from the belt line of the Hamilton Radial Electric Railway Company through Sherman inlet.

In order to make the civic improvement, it became necessary to relocate the tracks of the Radial Company; and, the matter having been taken up by the municipal authorities with the Radial Company, order No. 15241 was made by the Board on the consent of both parties; and this order is the only evidence of agreement between the parties on file with the Board.

Under the terms of the order, the city was obliged to construct the proposed extension of Birch avenue from its present northerly terminus to Gilkinson street, and to fill in to grade level of the then existing right of way of the Radial Company those portions of Sherman inlet which would be occupied by the relocated lines of the company as shown on the plan.

The order further provided that on the completion of the filling in of the relocated line, the Radial Company should, as soon as the right of way was in the opinion of the Chief Engineer of the Board permanently safe, construct its tracks upon the relocated line between Brant street and the main line of the Grand Trunk Railway Company; and thereafter to convey and give to the city corporation possession of that part of the former right of way coloured red, as shown on the plan. The order deals with other questions which are not at present necessary to consider.

The city corporation having completed the filling in of that portion of Sherman inlet necessary for the new radial right of way, required the company to lay its tracks upon it as contemplated by the order; and, the Radial Company refusing so to do, the city made application to the Board for an order directing the company to construct

the relocated line, and to hand over possession of the portion of the old right of way that the city became extended to.

As a result of this application, which was opposed by the Hamilton Radial Electric Railway Company on the ground that the filling on Sherman inlet was not sufficiently consolidated to permit of construction on it, order No. 23219 was made, directing the Radial Company to relocate its tracks as provided by the original order, but throwing upon the city the responsibility of maintaining the new location, until such time as, in the opinion of the Chief Engineer of the Board, it should be relieved from such responsibility.

In conformity with this last order, the Radial Company has laid a large proportion of the necessary new tracks, but has been unable to complete the work, owing to the fact that the tracks of the Toronto, Hamilton and Buffalo Railway Company cross a portion of the right of way belonging to the Radial Company, by means of an overhead bridge, the bents of which, while located in such manner as to be no obstacle to the proper operation of the Radial's cars on the old layout nevertheless prevent the new scheme being carried into effect; and the Radial Company, by its application of May 13, 1915, asks for an order directing the Toronto, Hamilton and Buffalo Railway Company to reconstruct its timber trestles, so as to accommodate the tracks as they are to be laid under the relocatiaon scheme.

The Toronto, Hamilton and Buffalo in its answer claims that the present construction is good and sufficient, and that this reconstruction is merely asked for the purpose of enabling the Radial Company to carry out its arrangements with the city corporation; and that if the company is directed to reconstruct the bridge on the Radial's application, the expense of reconstruction should be borne by the city of Hamilton or by the applicant company.

The answer further points out that the company is senior to the City at the crossing, and that the original Order was made on the application of the City, which was at its own expense to carry Birch avenue extension beneath the railway tracks by means of a subway.

The case was heard at a session of the Board held in Hamilton, July 17, 1915. It was then contended, on behalf of the railway companies, that the scheme was entirely a matter of civic improvement, and that as the bents of necessity had to be moved in carrying out that scheme, the whole cost should be on the City Corporation.

It is quite true that the re-arrangement is the result of civic action and is only necessary as part of the scheme for civic improvement. It might well be that if the matter was open for consideration that apart from other possible considerations of which the Board is not now seized, the cost might have been put upon the City. The agreement between the Radial Company and the City as evidenced by Order No. 15241 does not throw upon the City Corporation in general terms the cost of the work. It does compel the City to do certain specific things, but it does not bind the City to be at the expense of doing other work which may subsequently become necessary.

It is impossible for the Board to say whether or not the changing of these bents was considered. If they were not considered, they should have been, as it is obvious that the change was necessary. In any event, in face of the apparent difficulty, no obligation was thrown upon the City to change them, or to be at the cost of changing them. On the other hand, without any stipulation protecting itself in this regard, the Radial Company agreed, on the performance of conditions which have been performed, to relocate its line. I am, therefore, of the opinion that the City Corporation cannot be asked to contribute to this cost.

Then as between the Radial Company and the Toronto, Hamilton and Buffalo Railway Company. Admittedly the Radial Company is senior at this point. Not only is it senior as a matter of crossing, but the construction of the Toronto, Hamilton and Buffalo Railway is desired now to change, is located upon the property of the Radial Company.

The request which the Radial Company now makes for the re-arrangement of these bents is reasonable. It is simply putting its own property to a reasonable and proper use, and the Toronto, Hamilton and Buffalo Railway Company must re-arrange the bents of this bridge in the manner in which the Hamilton Radial Electric Railway Company desires. The work must be undertaken and finished by the Toronto, Hamilton and Buffalo Railway Company within sixty days,—at its own expense, and in accordance with the plan filed by the Radial Company and numbered E. 557.

Mr. Commissioner McLean concurred.

Re JAVA FLAG STATION.

Judgment, Chief Commissioner DRAYTON, September 7, 1915:

Petition has been lodged with the Board requiring the issue of an Order directing the Canadian Pacific Railway Company to make Java a flag station for trains going east in the morning.

The question has been gone into with the railway company as well as with the applicants.

Java is located on the main line of the Medicine Hat Subdivision and is the junction point where the Empress Subdivision connects with the Medicine Hat Subdivision. No agent or operator is stationed at the point. The Board's inspector reports that there is no town of any kind, the only people living in the district being on farms. The residents of the district now have available to them Beverly Station on the main line, a distance of 2·7 miles from Java to the west, and Swift Current 6·0 miles to the east.

Under such circumstances the Board would not be justified in ordering the company to stop through passenger trains at this point. The Board's inspector reports the roads are good and there seems to be no reason why, in view of the facilities already existing both at Swift Current and Beverly, the order should be made.

The residents of the district, however, are also interested in the service on the Empress Subdivision. Contour on the Empress Subdivision is 6·9 miles from Java Junction on the one side, and Swift Current 6 miles on the other. The company can be reasonably required to stop their mixed trains No. 668 and 669 on the Empress Subdivision, at Java. This question has already been taken up with the company, and if necessary a formal order will be made carrying the direction to stop these mixed trains operating on the Empress Subdivision into effect.

Mr. Commissioner Goodeve concurred.

APPLICATION OF THE VILLAGE OF MONT LAURIER, QUE., FOR CROSSINGS OVER THE LINE OF THE CANADIAN PACIFIC RAILWAY COMPANY.

Judgment, Chief Commissioner DRAYTON, September 9, 1915:

This application, which is signed by a large number, states that the applicants are the owners of certain lots of land to the east of the village, that the Canadian Pacific line isolates the lots completely from the village, and that public crossings are necessary. The crossings are asked to be established by the Board at Ouellette, Des Belges and Lafontaine streets.

The railway company in its answer to the application states, that having gone into the matter very carefully, the crossings proposed would be in dangerous locations and should not be granted; and the crossings would be situated less than 200 feet east of the switch and that those using it would be exposed to the risks involved in any switching movements over it; and that the other crossings would be practically through the centre of the yard and would be equally dangerous. The company further submits that the application is prompted with a view to the prospective development of the

property in the vicinity the streets for which the additional crossings are requested, and that at the present there is no need of the crossings for the accommodation of the public. The company also submits that if a crossing is allowed it should be an underground crossing and at the expense of the municipality.

An inspection of the *locus in quo* has been made. To the east of the track, (the district that it is sought to serve by the crossings), there are at present thirteen houses, and a number of other building lots have been sold on which at the present no improvements have been made. A stone quarry is also situated in the same district and there appears to be considerable traffic to and from the quarry. The present and only means of access to the territory in question is by way of what the Board's engineer reports to be a private crossing immediately north of the station. The crossing appears to have been one which was put in for farm purposes only. It is a dangerous point necessitating the crossing of three tracks. The view of the track is also obstructed by the station on one side, and cars on the siding on the other. It would appear to be a much more dangerous way of crossing the tracks than would a proper highway crossing at a point where only one track would be crossed.

The public should also have access to the property to the east over a highway instead of depending entirely on the possibly continued use of the so-called private way dangerous as it is described to be.

On the other hand the public interest does not require crossings at the three streets that have been asked. Ouellette street lies betwen Des Belges and Lafontaine streets which are only distant on either side from it a matter of 250 feet.

I am of the opinion that the application must be refused in so far as Lafontaine and Des Belges streets are concerned, but that an order should go for the establishment of a highway crossing at Ouellette street where only one track will be crossed. The crossing will be new public right over the privately owned right of way of the company and the cost, therefore, of its construction and maintenance must be borne by the municipality. With the opening of a proper crossing at Ouellette street that crossing should be used by the public in place of the present so-called private crossing. The work to be done to the satisfaction of an Engineer of the Board and the Board's regular standard requirements.

Reported in 18 Can. Ry. Cas. 387. Concurred in by Deputy Chief Commissioner Nantel.

COMPLAINT OF THE BRIGDEN BOARD OF TRADE, PER W. B. LARROTT, AGAINST INCONVENIENCE TO THAT DISTRICT CAUSED BY NEW SCHEDULE OF TRAINS ON THE LOCAL BRANCH OF THE M. C. RY.

Judgment, Mr. Commissioner McLean, September 4, 1915:

Complaint was made that instead of having a first-class passenger train on the branch in question, which is the St. Clair branch, there are now two mixed trains. Complaint was also made that the change in train service between St. Thomas and Brigden was unsatisfactory.

Prior to May 3, 1915, the service had been as follows:—

Eastbound.

Passenger train 8.33 a.m., St. Thomas 10.30 a.m.
Mixed train 11.55 a.m., St. Thomas 3.50 p.m.
Mixed train 5.27 p.m., St. Thomas 8.10 p.m.

Westbound.

Passenger train leaving St. Thomas 3.30 p.m., Brigden 5.27 p.m.
Mixed train leaving St. Thomas 6.30 a.m., Brigden 9.21 a.m.
Mixed train leaving St. Thomas 8.40 a.m., Brigden 12.55 p.m.
All daily except Sundy.

By the time-table which was to be effective June 27, the service was as follows:—

Eastbound.

Mixed train 7.55 a.m., St. Thomas 10.45 a.m.
Mixed train 1.30 p.m., St. Thomas 5.35 p.m.

Westbound.

Mixed train leaving St. Thomas 3.30 p.m., Brigden 6.00 p.m.
Mixed train leaving St. Thomas 5.30 a.m., Brigden 9.50 a.m.

Complaint was also made that the hour at which the train arrived at Brigden in the evening interfered with the mail service, that it was impossible to get business correspondence attended to and mailed out the next morning, with the result that mail was thrown over 24 hours.

The reduction in the service is due to reduction in traffic.

The return covering the period from September, 1913 to May, 1915, inclusive, shows for the month of May, 1915, passenger train mile earnings on trains, Nos. 100 and 101, which were straight passenger trains, of 28 and 31 cents respectively. Trains Nos. 102, 103, 104, and 105, which render a mixed service, show during the same period passenger train mile earnings of 9, 11, 12, and 1 cents respectively. During the year covered by the Government Railway statistics for 1914, the average passenger train mile earnings for the system were $1.71.

From January to June, 1915, the total revenue for passenger business for the whole branch was $8,889.94. During the month of June, 1915, the total number of passengers carried was 3,479, with total earnings of $1,409.12, and earnings per mile run of 21 cents. For the period from July 1 to July 15, inclusive, 1,951 passengers were carried with earnings of $870.54, which gave earnings per mile run of 25 cents.

The Board took up with the Post Office Department the question of improving the mail service, by having a closed bag service on the eastbound train which is due to pass Brigden at about 1.30 or 2 p.m. The matter has been gone into by the Post Office Department, which advises that the additional expense of such service would not be justified.

In view of the existing condition of passenger business on this branch, the Board is not justified in directing at present an extension of the service.

The Board's operating department has gone into the question of readjusting the time of arrival and departure. Readjustment has now been made. The train service as it now exists effective August 12, is as follows:—

Eastbound.

Mixed, Brigden 8.03 a.m., St. Thomas 10.40 a.m.
Mixed, Brigden 2.25 p.m., St. Thomas 6.40 p.m.

Westbound.

Mixed, leaving St. Thomas 6.30 a.m., Brigden 10.40 a.m.
Mixed, leaving St. Thomas 3.20 p.m., Brigden 5.42 p.m.

On full consideration of the traffic offering, the Board does not see how this can at present be improved upon.

Chief Commissioner Drayton concurred.

Re RATES AND PANAMA CANAL.

Judgment, Chief Commissioner DRAYTON, Sept. 15, 1915:

The Grand Trunk, Grand Trunk Pacific, Canadian Northern and Canadian Pacific Railway Companies have submitted a statement relative to the effect of the Panama competition on American and Canadian transcontinental traffic.

There is no question whatever as to the reality of the trade competition and the dislocation of the general traffic on transcontinental business resulting from the operation of the canal.

The statement of the railways is entirely endorsed by the Canadian Manufacturers' Association and the boards of trade of Toronto and Montreal.

There is no doubt whatever but that rates which the railway companies may make for the purpose of enabling manufacturers and shippers in Ontario and Eastern Canada generally to continue to do business as in the past appears to be a national necessity. Whether such rates are or are not put in, is a matter entirely for the railways. They cannot be ordered by the Board. If, however, the railways put such rates into effect, they will not be considered as rates reflecting in any degree the measure of the reasonableness of the service, but rates which have been put in simply and solely for the pupose of enabling business to move as heretofore from the east to the west. The Board does not now take any action which will in any way prejudice any application being made in the future by any interested shipper or locality to have the proposed rates set aside on the ground of any discrimination or unfairness that may be shown, but on such application the Board will not consider, as has already been pointed out, the proposed rates as rates which should govern the general rate situation or afford the slightest index as to the reasonableness of rates charged between points not affected by the Panama competition. In other words, the issuing of the new tariff is to be taken as without prejudice to the railways' position in any future application.

Deputy Chief Commissioner Nantel and Mr. Commissioner Goodeve concurred.

Judgment, Mr. Commissioner McLean:

The disposition herein made should be without prejudice to the positions which may be advanced by any of the parties interested. On this understanding I see no objection to the railways filing the proposed tariffs, it being at the same time clear that the sanction of the Board is not a preliminary requisite to such action, and that no rights which the parties interested or affected may have under the statute are interfered with.

APPLICATION OF THE CANADIAN NORTHERN ONTARIO RAILWAY COMPANY, UNDER SECTION 258 FOR THE APPROVAL OF ITS PROPOSED PASSENGER AND FREIGHT STATION AT NORTH BAY, ONT.

Judgment, Chief Commisioner Drayton, September 22, 1915:

This case was heard at a sittings of the Board held in Toronto on July 16, 1915.

While the company's application on its face merely called for the approval of its proposed passenger and freight shed, the matter became complicated by the position taken by the company at the hearing. The company's Counsel stated:—

> "I think there is very little objection to the plans. I understand they are the standard plans of stations and freight sheds and sufficient for the purpose intended. There is, however, something that stands in our way before we start to construct, assuming the Board approve, and that is that under an agreement with the Town of North Bay made in August, 1913, there is a clause, number 11, which reads as follows:—
>
> > "The company further covenant and agree that no shunting or make-up of trains shall take place between Front street and Fisher street."
> > ". . . . . ."
>
> "We always read that clause 11 to mean the prohibition of shunting or make-up of trains, that is shunting incidental to the making up of trains. We never contemplated and never thought it would be insisted upon that it would inhibit any movement of care within that designated area."

Counsel further stated that if the Town insisted upon the clause, the company would have to withdraw the application.

The record in part further reads as follows:—

"THE CHIEF COMMISSIONER: You have the right to spot a car. We distinguish always between spotting and shunting. I do not suppose Mr. McKay for one minute wants this, that no merchant can ever get a car on this line, but he does want to see there is no movement for the making up of trains, shunting or anything else."

"Mr. RUEL: This is an agreement I submitted to North Bay as a solution of the trouble between us, and for the life of me I cannot see where it is unreasonable, and I am quite prepared that all the clauses in the agreement should be put into an Order of the Board."

"THE CHIEF COMMISSIONER: Why should you get anything more than you have got there now? Why not leave it as it is? What is your idea about spotting a car for a man who needs it, Mr. McKay?"

"Mr. McKAY: No difficulty at all, but we are not going to have a freight yard there, and we are not going to have that whole section ruined. The distinct condition made at the time by the Town was: There will be nothing but a movement through and an ornamental station there."

"Mr. RUEL: That is a misstatement."

"Mr. McKAY: Please do not say that. I was there."

"Mr. RUEL: Mr. Phippen was there. That statement is not down."

Mr. McKay's position, who appeared for the Town, was very clear. With reference to the clause of the agreement he said:—

"The Town of North Bay insists. We do not think that a written agreement, made after a number of applications before the Board time and again, every clause of it considered, and a great deal of controversy backwards and forwards, is to be rubbed out simply because the Canadian Northern Railway say: We do not understand the English language according to its use."

And again:—

"You would never have got that location in that section of North Bay but for that agreement. Not only the Town, but the Government and the Normal School and other interests were opposed to the location, and you would never have got that location approved if that clause had not been put in. The idea of turning a residential section of North Bay into a freight yard!"

The issue between the parties is certain and defined. The controversy is not as to the site of the station or freight shed but has to do with the subsequent development of a freight yard at this point and the consequential nuisance of shunting,—the Canadian Northern desiring to have a free hand, and the Municipality insisting on the agreement.

Although it was pointed out at the hearing that there was a distinction between spotting cars and shunting them, so that the clause inhibiting shunting would not prevent the placing of a car for any industry which might require it for the placing of cars for loading or unloading at the freight shed, on the Board's refusal to set aside the contract, the company withdrew the application.

The question has been subject to further negotiations between the company and the municipality; and, the municipality insisting on its position, the company has applied to the Board for reinstatement of the application and that a definite ruling be made upon it.

The Board will not, on the application of the company set aside the agreement, either in whole or in part.

Whatever may be the position as to the public right to use railway facilities and the statutory duty of the company towards the public, it will be quite time enough to deal with such questions when they arise.

We do not think on the present record that the Board should in any way negative the effect of the agreement. In the discharge of its duty to the public, the company must erect a station and freight shed in North Bay. Indeed, the agreement with the municipality itself calls for the erection of a station at the centre of Fraser street,—the site which the company now submits for approval. No mention is made in the agreement of a freight shed.

Mr. Spencer, the Board's chief operating officer, is very familiar with the whole layout and North Bay conditions and reports that the proposed site for the freight shed is satisfactory, and at proper point to serve public convenience. The Board's chief engineer in dealing with the question from an engineering standpoint has come to the same conclusion.

An order may, therefore, go, approving of the proposed passenger and freight station, but the contractual obligation of the company must be understood to be not thereby interfered with or the rights of the corporation under the agreement of 1913 prejudiced.

Mr. Commissioner McLean concurred.

APPLICATION MADE BY THE LONDON RAILWAY COMMISSION FOR AUTHORITY TO EXPROPRIATE LOT ONE ON THE SOUTH SIDE OF PHILIP STREET AND LOT ONE ON THE NORTH SIDE OF TRAFALGAR STREET, LONDON, ONTARIO.

Judgment, Chief Commissioner DRAYTON, September 22, 1915:

This application was contested by the landowner, Mr. Maurice Gootson, and the case was heard at a sitting of the Board held in Ottawa on September 14, 1915.

It was shown at the hearing that land was required for a proper and necessary railway purpose, as a site for car barns, and that the adjoining lots on each side were already owned by the London Railway Commission.

Mr. Hill, who appeared for the landowner, in opposing the application stated that his client had erected buildings to the value of about $15,000 on the property sought to be expropriated, and had worked up a large junk business, and that the result of the expropriation would practically mean the confiscation of the business as well as the taking of the land, owing to the fact that no other suitable land could be found in London. Mr. Hill requested that the Board's engineer should investigate both the property in question and the adjoining property, with a view to seeing whether lot one on the north side of Philip street could not be acquired with less injury to private rights than would be suffered by taking the property of his client.

Judgment was reserved, pending the receipt of a report from the Engineer as asked. The Board's chief engineer now reports as follows:—

> "This is an application to take the land of one Gootson, who uses the property as a junk yard. Gootsen's contention was that other land in the vicinity could be obtained that would suit the purpose as well without disturbing him, and referred to the land between Nelson and Phillip streets. This is built up with a class of small houses and the ground is somewhat higher than the railway company's and would need excavation. The main feature is that if the car barns were put up on this property the switching lead would be crossing the London Street Railway's tracks at South street. This would be objectionable, and I am, therefore, of the opinion, and after taking everything into consideration, that the Gootson land is the proper place for the car barns, and that the application should be granted."

The report confirms the conclusion that was drawn by the Board from the facts developed at the hearing.

If possible, railway terminals should be laid out with a view to necessary extensions, without undue interference with property or property rights. Trafalgar street, which the plan shows south of the property in question, has never been laid out, and the land again south of Trafalgar street is already owned by the municipality or by the London commission; so that any necessary extension that the future may require, can be made with but little expense and no interference with private property rights. The movements to and from the car barns may become large, and traffic on the London Street Railway should not be unnecessarily impeded by placing the car barns at the point that the landowner requested. There is nothing in the record which shows that any damage occurring to the landowner cannot be properly compensated in money damages recoverable under the Act.

Mr. Commissioner Goodeve concurred.

COMPLAINT OF THE LONDON BOARD OF TRADE, LONDON, ONT., AGAINST DISCRIMINATION SHOWN IN FAVOUR OF TORONTO IN EXPRESS CHARGES FROM THAT CITY AS COMPARED WITH THOSE CHARGED FROM LONDON, ONT.

Judment, Mr. Commissioner McLean, September 24, 1915:

In the complaint launched by the London Board of Trade, it was alleged that discrimination was shown in favour of Toronto in express charges from that city in comparison with those charged from London. In support of this contention, the following examples were given:—

Express rates, Toronto to Brantford, 63 miles, 50 cents.
" London to Brantford, 50 miles, 60 cents.

At the hearing, supplemental detail with reference to the discrimination complained of was submitted in the following statement:—

Express rates, Toronto to Brantford, 58 miles, 50 cents.
" London to Brantford, 56 miles, 60 cents.
" Toronto to Woodstock, 88 miles, 60 cents.
" London to Woodstock, 27 miles, 40 cents.
" Toronto to Ingersoll, 97 miles, 75 cents.
" London to Ingersoll, 20 miles, 40 cents.
" Toronto to Tillsonburg, 96 miles, 75 cents.
" London to Tillsonburg, 40 miles, 50 cents.
" Toronto to Berlin, 63 miles, 60 cents.
" London to Berlin, 59 miles, 60 cents.
" Toronto to Paris, 71 miles, 60 cents.
" London to Paris, 48 miles, 50 cents.

In the complaint as launched, it was stated that the express companies claimed that the rate from Toronto was lower because they obtained more business from Toronto. The express companies, in their answer, said that the rate has not been made lower from Toronto than from London because of difference in amount of business involved.

In the Board's investigation in the express case, a revision of the rates was made. The revision of the standard brought down those in excess of the standard. In a considerable number of instances, the rates actually in operation were because of special conditions or some accident in the development of the rate lower than the standard rates as approved. The tariffs have been checked and show that there are a large number of rates which on account of special conditions are lower than the standard. At the time the standards were approved, the express companies desired to level up the existing rates; but the Board took the position that existing rates should not be increased. There is, therefore, a disparity in the rates charged as shown in the statement above set out.

The express companies stated their willingness to remove the alleged discrimination by restoring all the rates in the section in question to standard. The result of this would be to increase a large number of existing rates affecting places whose positions have not been developed before us.

While there is in respect of particular places the difference in regard to rate basis which has been shown, it is not established that the merchants of London, on whose behalf the complaint is launched, are injured thereby.

A mere statement as to rates is not conclusive as showing the existence of unjust discrimination or undue preference. There must be evidence of the traffic moving and the effect thereon. Further, the discrimination must be one creating an actual detriment. In the tabular statement furnished, the complaint turns on the Toronto rate basis being lower for a longer distance. It was not, however, in any way established that business which was naturally tributary to the London merchants had been taken away from them because of the lower rate basis enjoyed by Toronto. In other words, it has not been shown that business which would naturally go to London has been taken to Toronto by a difference in rates.

The rates for equivalent distances out of Toronto and London have been checked, and it would appear from the following statement that the rates are the same for the same distances:—

Toronto to Woodstock, 88 miles, 60 cents.
London to Hornby, 87 miles, 60 cents.
Toronto to Ingersoll, 97 miles, 75 cents.
London to Belle River, 95 miles, 75 cents.
Toronto to Tillsonburg, 96 miles, 75 cents.
London to Streetsville, 94 miles, 75 cents.
Toronto to Berlin, 63 miles, 60 cents.
London to Guelph, 73 miles, 60 cents.
Toronto to Paris, 71 miles, 60 cents.
London to Hamilton, 75 miles, 60 cents.

Reference has been made to the fact that in a very considerable number of cases the rates charged are below what would apply if the standard rates were charged. As indicative of this, the following summaries show cases where on the movement out of London, London may reach various points on rates below the standard rates:—

(1) *Where the rate charged is 75c. and the standard rate is 90c.*—Summerville, Islington, Lambton, West Toronto, Parkdale, North Toronto, Toronto, Snelgrove, Mooretown, Corunna, Courtright, Watson, Sombra, Windsor, Cooksville, Dixie.

(2) *Where the rate charged is 60c. and the standard rate is 75c.*—Guelph Junction, Campbellville, Christies, Milton, Hornby, Lisgar, Fergus, Elora, Moffatt, Corwhin, Arkell, Prison Farm, Guelph, Harriston.

(3) *Where the rate charged is 50c. and the standard rate is 60c.*—Dumfries, Galt, Chatham, Leslie.

(4) *Where the rate charged is 40c. and the standard rate is 50c.*—Woodstock, Innerkip, Blandford, Drumbo, Wolverton, Putnam, Harrietsville, Glencoe, Newburg.

To bring up to standard all rates now below standard would dislocate the rate situation; and it does not appear that this would be of appreciable advantage to shippers.

In the absence of any evidence that the existing rate situation works to the detriment of London merchants by taking from them business which would normally go to them, and by transferring it on account of the rate difference to Toronto merchants, the Board is unable to find that the existing situation works an unjust discrimination.

Chief Commissioner Drayton concurred.

UNION STATION, TORONTO.

Judgment, Chief Commissioner DRAYTON, September 24, 1915:

The question of the facilities that the Grand Trunk Railway Company must provide the Canadian Northern Railway Company in the Union Station, Toronto, has been several times before the Board. Apparently the underlying cause of the present difficulty or at least the reason why the present issue was raised is the non-payment of and disputes as to rendered accounts.

The rights of the Canadian Northern appear in the first instance to have been secured by Order No. 358, dated February 23, 1905. Paragraph 6 of the Order being as follows:—

> "That the Applicant Company make provision in the present Union Station for the passenger trains and traffic of the James Bay Railway Company as soon as the said company requires the use thereof, and until the proposed new Union Station hereby authorized is completed and ready for use, which provision and accommodation shall be paid for by the James Bay Railway Company on such terms as may be agreed upon between it and the Applicant Company; and, in case the interested companies cannot agree on the amount to be paid or on other terms and conditions, the points in dispute shall be settled by Order of the Board."

An agreement was arrived at on November 7, 1906, between the companies. Paragraph 5 of the memorandum which evidences it is at follows:—

> "5. The following is made as a temporary arrangement, viz.:—
>
> "The Canadian Northern Ontario to have the right to run its passenger trains to and from the Union Station, Toronto, on the Grand Trunk Railway's track from and to the said point of connection between the lines at the Canadian Northern Ontario freight yards under the usual terms relating to similar rights given by one company to another. For this right the Canadian Northern Ontario shall pay the Grand Trunk Railway as follows, viz.:—
>
> "For use of tracks of Grand Trunk Railway for said temporary arrangement the charge shall be one dollar for each baggage, mail, express, coach and sleeping car entering the Union Station, and the same amount for each such car departing from the station and subject to the consent of the Canadian Pacific Railway Company there shall be another charge of one dollar for each such car to cover the use and service of the station, the total charge to the Canadian Northern Ontario being two dollars per each such car to cover use of tracks and use and service of said station, each way on cars arriving and departing from station."
>
> "6. The payments above mentioned shall cover all charges against the Canadian Northern Ontario under this temporary arrangement, including share of maintenance, operating expenses, station use, including switchmen, ticket agent, and other employees, rental, and for such payments the Canadian Northern Ontario shall be entitled to all proper services and accommodation."

The memorandum also makes the provision of the Winnipeg agreement between the Canadian Northern and the Grand Trunk Pacific Railway Companies relative to liability in case of accidents and damages, applicable to the Toronto situation.

A joint application was subsequently made by the Grand Trunk and Canadian Pacific Railway Companies requiring the Board to settle the amount of money to be paid by the Canadian Northern Railway Company, and other terms and conditions.

The Board's judgment on this application, delivered June 1, 1909, refused the application, which was to increase the payments to be made by the Canadian Northern; and directed that the agreement of November 7, 1906, should govern. The Board, in its judgment, did not pass upon the issue one way or the other as to whether the prices fixed by the agreement were just; but, recognizing that the whole arrangement was merely of a temporary character, determined to continue it until such time as the Union Station was completed.

The judgment was carried into effect by Order No. 7199, which provides that the Canadian Northern Railway Company shall continue to pay the Grand Trunk Rail-

way Company for the use of the present Union Station and yards, the amount agreed upon between these companies under the agreement of November 7, 1906.

No further application was made to the Board until March, 1915, when the Canadian Northern complained that the Grand Trunk had notified that company that on and after the 26th of March it would not take care of the Canadian Northern equipment and engines arriving on passenger trains at the Union Station.

The Board thereupon made an ex-parte direction that the services, and facilities extended to the Canadian Northern at the Union Station and yards in the past should be continued until after a hearing; which hearing took place in Toronto on March 30, 1915.

At this hearing, the claims advanced by the Grand Trunk Railway Company were that the Canadian Northern had not paid a bill since March or April of 1907. On the other hand, the Canadian Northern claimed that the Grand Trunk Pacific Railway Company had not paid the Canadian Northern Railway Company a cent of rental at Edmonton since November 22, 1909. Mr. Fritch stated that as a railroad, the Canadian Northern did not owe the Grand Trunk as much as the Grand Trunk owed the Canadian Northern. Mr. Fritch also stated:—

> "We are willing to pay their bills promptly as soon as accounts are rendered."

And a direction was made at the hearing for a temporary continuance of the service, until such time as the Board's chief engineer and chief operating officer could go into the whole question of the actual operation at the Union Station.

The Chief Operating Officer, on the 15th of April, made his report as to the conditions, which report was concurred in by the Chief Engineer.

This report states that, after going into the matter carefully with the companies he finds that the Grand Trunk Company makes no complaint as to the question of the service in the Union Station or in the movement of Canadian Northern trains between Don Junction and the Union Station, and points out that as this is the case there is no question of a public service being affected; and, therefore, recommends that the case is one which the railway companies should settle between themselves.

Copies of the report were sent to both companies; and, on April 27, the Grand Trunk requested that the case should be set down for hearing on May 4, 1915, claiming that no overtures had been made by the Canadian Northern. The case was accordingly listed for hearing.

On receipt of a letter from Mr. Fritch stating that his company was prepared to meet the Grand Trunk, with a view to adjusting the differences, the case was struck off the list.

No negotiations apparently took place between the companies, nor anything done beyond the fact that both companies wrote the Board complaining that each owed the other large sums of money; but, on the 3rd of September, the matter was again brought to a head by the Grand Trunk's refusing to supply the Canadian Northern with water for cleaning cars, or to permit the Canadian Northern to lay pipes on the Grand Trunk property through which water could be brought for cleaning purposes; and the Canadian Northern asked for a direction that the water service be continued. The Board's direction to continue the service was given on September 10, and the case set down for hearing on September 14.

At this hearing, Mr. Fritch stated that a meeting had taken place between the officials of the two companies and statements gone into, with the result that it was found that the indebtedness of the Canadian Northern to the Grand Trunk was $1,364,912, and the indebtedness of the Grand Trunk to the Canadian Northern $1,104,955, leaving a balance in favour of the Grand Trunk of $259,957, subject to further reductions and adjustments arising out of the Edmonton situation.

Mr. Fritch further stated:—

> "A promise was made to the Grand Trunk people that shortly after the 1st of August we would make them a substantial payment on account. Mr. Hanna, our vice-president, went west a few weeks ago and had just returned, and it is his purpose to carry out that promise. That is as far as the financial arrangement is concerned."

The report of the Chief Operating Officer was not challenged by the Grand Trunk; so that the right of the Canadian Northern to run its trains along the front and into and out of the Union Station is not in question. On the other hand, it is confirmed by the arrangement which the Grand Trunk are now willing to enter into, as evidenced by Mr. Kelley's telegram to Mr. Fritch:—

> "We will permit without trackage charge the movement of your passenger equipment made empty at Union Station, Toronto, to your proposed coach yard at Rosedale, and also movement of your empty passenger equipment from your proposed coach yard at Rosedale to the Union Station when destined for passenger trains leaving that station, this to continue as a temporary arrangement the same as your present use of the Union Station and subject to the same limitations."

This telegram was in reply to a telegram from Mr. Fritch to Mr. Kelley asking if free trackage would be given on deadhead equipment in and out of Union Station.

It appeared to the Board that it would be very much cheaper for the Canadian Northern, and prevent the different street crossings and railway tracks being subjected to an unnecessary use, if all the work incidental to cleaning cars, coaling engines and making up trains, was continued to be done by the Grand Trunk, under the verbal arrangement which it was stated that the companies had entered into.

Although the position was taken by Mr. Chisholm, who appeared for the Grand Trunk, that the Board had never taken the position that it could order one company to supply another with coal or even water, a direction was made that the supply of water should be continued, on the payment by the Canadian Northern of $10 a month for the service; and the Canadian Northern was asked to define exactly what work it would like the Grand Trunk to perform for it and at what prices; and at the same time give the Board information on the question of payments and what instalments on account would be furnished.

Mr. Fritch has since supplied the Board with details of the service required, including a tariff at which the work should be done. This service includes, not only cleaning of cars of all kinds and trucks, but ice, water, lubricating and illuminating oil, waste, lamp wicks, lamp chimney supplies, and inspection and air-brake testing. It also includes certain repairs to equipment.

The communication, however, did not make any reference to the matter of payment of arrears, which are, although considerably less than originally claimed, substantial. Mr. Fritch, on being written to requiring that his company should submit a statement of what it proposed to do regarding the payments to the Grand Trunk, advised the Board that he was unable to state the exact date or amount that his company was able to pay, but that it was the intention to do everything possible in the near future to make a substantial payment on account of the Union Station yard indebtedness.

Under these circumstances, it is impossible for the Board to do anything further in relief of the Canadian Northern. The result is that the trains of the Canadian Northern will continue to run into and out of the Union Station as heretofore, but that the services which the Grand Trunk has been giving the Canadian Northern apart from any order of the Board, such as the furnishing of water supplied for the cleaning of equipment, and repairs, will no longer continue.

I regret the result, as the Grand Trunk would be able to do the work cheaper than the Canadian Northern will be able to do it, but, in view of the Canadian Northern's neglect, or perhaps inability, to make the Grand Trunk at least a substantial payment on account of its indebtedness, I am of the opinion that it is impossible for the Board to add to any of the orders already made.

A further result is that the deadhead equipment of the Canadian Northern will be moved from the Union Station to its own yards on the terms agreed to by Mr. Kelley in his telegram.

Commissioners McLean and Goodeve concurred.

APPLICATION OF D. G. MATHIAS FOR A RATE OF $1.10 ON DRIED FRUIT FROM SAN FRANCISCO, CAL., TO FORT WILLIAM, ONT.

Judgment, Mr. Commissioner McLean, September 24, 1915:

At the sitting of the Board in Fort William, complaint was made by Mr. Mathias that a rate of $1.10 existed to Winnipeg, while the same rate was charged to Toronto. The applicant was of opinion that the rate of $1.22½ to Fort William was excessive. The matter was brought up without having been served on the railways, and so an opportunity was afforded them to send in written answers.

The tariff rates from San Francisco eastward to the Atlantic Coast will be found in tariffs C.R.C. No. 320, I.C.C. No. 976, and supplements thereto; C.R.C. No. 321, I.C.C. No. 978, and supplements thereto. These tariffs are filed by the Transcontinental Freight Bureau.

The initial points involved are arranged under groups lettered as A.B.C. and D.A. summary description of the content of these groups is as follows:—

Group A.—Points in California, on the main line of the Southern Pacific Co., north of and including Latrop, San José, Stockton, and Tracy, Cal.

Group B.—Points specifically designated as "California terminals."

Group C.—Interior points in California, Nevada, and Utah.

Group D.—Specified points in California, Nevada, and Utah.

Under tariff C.R.C. 320 above referred to, the points of destination concerned are situated in Minnesota, North Dakota, South Dakota, and Manitoba. These points are grouped in four numbered groups.

Group 1.—Covers specified points in North Dakota and Minnesota, which are for the most part located on the Northern Pacific. To these points, group A rates apply.

Group 2.—Covers an extensive list of points in North Dakota, South Dakota, and Minnesota, situated not only on the Northern Pacific but also on other lines traversing this territory. To these points, group B and group C rates apply.

Group 3.—Covers the following points in Manitoba: Cartier, Christies, Emerson, Emerson Jct., Glenlea, Letellier, Morris, Portage Jct., St. Agathe, St. Jean, St. Norbert, Silver Plains, Union Point, Winnipeg.

Group 4.—Includes, in addition to the points under group 3, the following: Dominion City, Niverville, Otterburne, St. Boniface, St. Jean Baptiste, Whittier Junction.

To group 3, group A rates apply only when so specifically provided in individual rate items. To group 4, group B and group C rates apply, subject to same limitation.

Both groups 3 and 4 are made up of points located on the Canadian Northern, Midland (Great Northern), and Canadian Pacific, and are located on the lines leading north from the international boundary to Winnipeg. To group 3, the rates apply via Portland, Oregon, Northern Pacific, Midland of Manitoba, and Canadian Northern. To group 4, specified routings are provided. For example, to stations on the Canadian Pacific in Manitoba, the movement is via the "Soo" lines and Noyes, Minn., or Great Northern railway and Neche, North Dakota.

Tariff C.R.C. No. 321 covers the movement as far east as the Atlantic coast.

In the carriage of dried fruit from the Pacific coast eastward under the tariffs referred to, a blanket rate on dried fruit is applied from San Francisco to e.g., St. Paul, Duluth, Buffalo and New York. This rate is $1.10. It also happens that the same rate is applied to junction points adjacent to the international boundary, through which the traffic moves north to points contained in groups 3 and 4. Thus, Neche, North Dakota, and Noyes, Minnesota, the latter being about 66 miles from Winnipeg, have the $1.10 rate.

As indicated in the tariffs, the rates carried apply to points in groups 3 and 4, only when specifically mentioned. By supplement No. 17 to C.R.C. No. 320, effective June 15, 1915, a rate of $1.20 is quoted on dried fruit to Winnipeg. This was an all-rail movement. The movement might be, as already indicated, in connection with the groups involved.

By C.R.C. No. 306, I.C.C. No. 962, effective November 11, 1912, joint class and joint commodity tariffs are quoted between California terminals and points in Minnesota, North Dakota, South Dakota, and Manitoba, these points being as set out in the tariff. The rates quoted are continued in the supplements thereto, e.g., supplement No. 10, effective July 10, 1915. This route is a combination steamship and rail one, the participating steamship carriers being the Great Northern Pacific Steamship Co., the North Pacific Steamship Co., the Pacific Coast Steamship Co., Pacific Alaska Navigation Co., and the E. V. Rideout Co. So far as the Canadian Pacific is concerned, the movement is via the Pacific Coast Steamship Co. and Vancouver. Various United States lines concerned take the goods from the steamships at Seattle and Tacoma. This same tariff rate is applicable to Portage la Prairie and Brandon, Man. The rate is a blanket one.

In Eastern Canada, Montreal and Toronto have a rate of $1.10. Montreal has this rate in competition with New York. On account of Buffalo and Toronto being in contiguous territories, the Buffalo rate controls the Toronto rate.

The rate of $1.22½ to Fort William is quoted in Canadian Pacific Railway tariff C.R.C. W-2039, effective May 10, 1915. It is also to be found in Supplement 8 to C.R.C. No. 306, and later supplements. The Canadian Northern has not handled dried fruit from Californian points to Fort William. The Grand Trunk Pacific has no rate from San Francisco to Winnipeg on dried fruit. It carries dried fruits however, to Westfort. This is by a circuitous route—by boat to Seattle, thence by Great Northern to North Gate, Sask., thence by the Grand Trunk Pacific to Winnipeg, and from Winnipeg to Westfort by the National Transcontinental.

The distance from San Francisco to Winnipeg, via Vancouver, is 2,442 miles. From San Francisco to Fort William, via Vancouver, the distance is 2,862 miles. From San Francisco, via Vancouver and Port Arthur, to Toronto, the distance is 3,675 miles. A direct movement via Chicago and Detroit is 2,786 miles.

While the complaint was not developed at length at the hearing the essence of it is a complaint as to the violation of the long and short haul clause, since Winnipeg and Toronto, the points mentioned, are points to which a movement to Fort William would be intermediate.

The rate to Montreal and Toronto is controlled by conditions which have been referred to. The traffic moving to Toronto has a route through American territory 889 miles shorter than the route via Vancouver and the Canadian Pacific. The Canadian Pacific does not quote any rate on dried fruit via Vancouver and Fort William to Toronto. In so far as it participates in the $1.10 rate to Toronto it is in respect only of the haul from the Detroit or from the Buffalo gateway.

The rate to Fort William is held down by the rate basis to Duluth. Duluth has, as has been indicated, a rate of $1.10. The rate to Fort William is controlled as a maximum by the Duluth rate, plus the boat rate from Duluth to Fort William, plus wharfage charges at Fort William.

The Toronto rate is controlled by the blanket rate to Buffalo. The Fort William rate is not built upon mileage but is controlled by the blanket rate to Duluth. Competition is more effective in respect of Toronto than of Fort William. Further, on the movemnt of dried fruit to Toronto, Fort William is not intermediate, as the traffic does not move this way. There is no violation of the long and short haul clause, and it does not appear that the existing rate adjustment works detrimentally to Fort William.

Chief Commissioner Drayton concurred.

ENQUIRY OF MESSRS. *B. J.* OSTRANDER & CO., OF WINNIPEG, MAN., AS TO WHETHER INSTRUCTIONS SHOULD NOT BE CARRIED OUT BY RAILWAY COMPANIES IN CASES WHERE CARS HAVE BEEN BOUGHT EN ROUTE FROM THE COUNTRY TO FORT WILLIAM AND ORIGINAL BILLS OF LADING, PROPERLY ENDORSED, PLACED IN THE HANDS OF THE RAILWAY COMPANY BEFORE SUCH CARS HAVE BEEN UNLOADED, THE COMPLAINANTS TO STAND EXTRA SWITCHING CHARGES IN CONNECTION WITH PLACING OF SAID CARS.

Judgment, Mr. Commissioner McLEAN, September 30, 1915:

Complaint was made to the Board in correspondence by the applicant in the following words:—

> "From time to time we have occasion to buy cars en route from the country to Fort William. In such cases we have surrendered bills to the railway companies with request that they deliver the cars at the elevator specified by us. Providing the wire covering the diversion order against the car reaches Fort William before the car arrives at that point our orders are carried out but in case car has reached their yards and been consigned to an elevator we have been refused the privilege of having car placed at any special elevator, the excuse being given that cars are lined up for certain elevators and would necessitate extra switching, and this they will not do.
>
> "Would be glad if you would advise us whether or not instructions issued by us, providing we have surrendered the original bill of lading properly endorsed, should not be carried out by the railway companies, providing bill was in the railway companies' hands before car had been unloaded, and that they receive wire in plenty of time to have cars switched or run out from the elevators for which they are lined up and placed at the elevator which we specify, we, of course, to stand the extra switch of one cent per 100 pounds covering the second movement."

Some correspondence with the railway companies followed, and the matter was subsequently set down for hearing at Fort William and heard there. When the matter came on for hearing, Mr. Henderson, who appeared for the applicant, said that what was involved was a question of the construction of the terms of the bill of lading. He explained that the applicant in his business purchases grain on sample. The samples are available after the cars are inspected at Winnipeg. Frequently the applicant does not see the cars so purchased, as they are sent through on their journey to Fort William as quickly as possible after the inspection. When the applicant has so purchased if he desires the car to be diverted, he surrenders to the agent of the railway on the Board of Trade at Winnipeg the original bill of lading which he has acquired as the result of his purchases, and on payment for the message this agent telegraphs to Fort William to divert the car to the particular elevator to which the applicant desires the grain to be sent.

The applicant asks that—

(1) When bill of lading is in hands of railway before the car is unloaded;

(2) and information by wire as to the desired diversion is received in plenty of time to have the cars switched or run out from the elevators for whoch they are lined

up and placed at the elevator specified by him—the diversion should be made as requested, subject to a switching charge for this additional movement.

No difficulty arises where the direction is received by the railway prior to the car arriving at Fort William, for here the railway is constantly making such a change and placing the car at any elevator to which it may be diverted by the person holding the bill of lading. The railway, however, contends that when the car has entered the terminal and has been lined up for a public elevator the railway's contract was complete when the car arrived and was delivered to its original destination at the public warehouse.

As has been indicated, the applicant purchases his grain on sample, and owing to the expedition of the movement often does not have an opportunity of seeing the cars at Winnipeg. As an index of the expedition of the movement reference may be made to the fact that in the case of a particular shipment referred to at the hearing, the grain was purchased by the applicant on the 19th day of the month. On the same day, applicant's representative went to the Canadian Pacific Railway Company and asked to have the carload of grain involved put in some elevator other than that to which it had been consigned, *i.e.*, it was to be diverted to a private elevator. It was consigned originally to a public elevator. The telegram as to the diversion was sent through on this date. In the meantime, the grain was moving forward to Fort William, and on the 20th it was discharged there.

The railway company's contention is two-fold:

(1) That the direction for diversion not having been received in time to make the diversion before the car has arrived, the contract of the company is complete under the original contract; and

(2) the extra movement in terminals asked for would involve the cutting out of the car from the string of cars at a public elevator, and that this would involve a delay owing to the extra switching in terminals, such delay limiting the efficient use of the railway company's facilities.

It was contended by the applicant that under the terms of Section 8 of the Bulk Grain Bill of Lading, he has 48 hours after the arrival of the cars to say where the cars shall be placed. The material portion of the bill of lading in question reads as follows:

> Section 8—Grain, in bulk, consigned to a point where the carrier has an elevator or warehouse or where there is a public or licensed elevator or warehouse, may be delivered and placed with other grain of the same kind and grade, without respect to the ownership, and for the purpose of this, Port Arthur, Fort William, and Westfort, Ontario, shall be deemed one point, provided that this shall not apply (except in cases of grain consigned to Port Arthur, Fort William and Westfort, Ontario), unless the grain is not removed by the party entitled to receive it within forty-eight hours (exclusive of legal holidays) after written notice has been sent or given."

The important question is just exactly what the bill of lading means. It is clear from the bill of lading that when grain in bulk is consigned to any point where the carrier has an elevator or warehouse, or where there is a public or licensed elevator or warehouse, delivery may be made without respect to ownership of any of these elevators, and for the purpose of this provision Port Arthur, Fort William, and Westfort are treatd as one point. While there is a general statement that this provision shall not apply unless the grain is not removed by the party entitled to receive it within 48 hours, exclusive of legal holidays, after written notice has been sent or given, it is specifically stated that this exception is not to apply in cases where the grain is consigned to Port Arthur, Fort William and Westfort. While Mr. Henderson, who appeared for the applicant, was at first disinclined to accept this

construction of the section, he finally accepted it as correct. It is clear, therefore, that his contention as to the 48 hours being available for spotting a car was an erroneous one.

The applicant modified his appliction at the hearing, stating in substance that he desired to have the 48-hour period for spotting only when there was no congestion.

The present complaint involves some nineteen cars. It is patent, of course, that the propriety of intervention to rectify a legitimate grievance has no necessary connection with the volume of business involved, nor is the question as to whether there is or is not a valid cause of complaint measured by the bulk of the movement concerned.

At the same time, consideration must be given to the way in which the existing business is handled.

The Canada Grain Act makes provision for five types of elevators to which the scope of the legislation applies:—

Country elevator includes every elevator or flat warehouse which receives grain for storage before the grain has been inspected.

Public elevator includes every elevator or warehouse which receives grain for storage from the western inspection division after the grain has been inspected.

Terminal elevator includes every elevator or warehouse which receives or ships grain, and is located at any point declared by the Governor in Council to be a terminal.

Hospital elevator includes every elevator or warehouse which is used for the clearing or other special treatment of rejected or damaged grain, and which is equipped with special machinery for that purpose.

Eastern elevator includes every elevator or warehouse at any point in the eastern inspection district used only for the storage of grain grown in that division, after the inspection of such grain under the Canada Grain Act, or where such grain after being stored in such elevator is subject to inspection under the Canada Grain Act on delivery out of such elevator.

Mill elevator includes every elevator or warehouse used or operated as part of any plant engaged in the manufacture of grain products in the Western Inspection Division.

In dealing with country elevators, public elevators, terminal elevators, mills and by necessary consequence their elevators, and hospital elevators, the legislation makes provision for the licensing of owners and operators thereof. It is further provided that no person owning, managing, operating or otherwise interested in any terminal elevator shall buy or sell grain at any point in the eastern or western inspection division.

Without labouring the point, the Canada Grain Act recognizes that the elevator business is one affected by a public use, and with this end in view makes provision for its supervision.

The business of the applicant is concerned with a private elevator, which is not within the scope of the supervision of the Grain Commission. It appears that the business of the applicant is concerned, in part at least, with blending, or as it is called "mixing," various qualities of grain.

Both the Canada Grain Act and the Bulk Grain Bill of Lading, under which the traffic concerned moves, recognizes the elevator industry as one affected by a public use.

The Bulk Grain Bill of Lading was gone into very carefully by the Canadian Shippers' Bill of Lading Committee. Representations were received from various organizations and interests concerned. Finally the only question outstanding between the railways and the representatives of the shippers was concerned with the definition of the time within which notice of loss, damage, or delay could be made. This matter was settled by the Board.

The grain trade is one of large volume and wide public interest. It is in the public interest that there should not be congestion of the railway facilities engaged in forwarding the grain. The scheme of the Bill of Lading recognizes the elevator or warehouse of the carrier, or the public or licensed elevator or warehouse, as affording the means by which the bulk of the business to Fort William, Port Arthur and Westfort is handled; and the provisions of section 8 are drawn accordingly.

The Board must keep in mind the way in which the great bulk of the grain is handled. It has, further, before it the fact that great care was taken in getting the Bulk Grain Bill of lading into its existing form, and that in doing so the representations of those concerned were taken up carefully, and that the result was, except in so far as the time for filing of claims already referred to is concerned, a consent arrangement.

Any revision of the terms of the bill of lading affecting, as it necessarily would, the grain business in general would have a wide-reaching influence, which in the absence of hearing from the parties generally affected, it would be impossible to estimate. In so far as the applicant is concerned, existing arrangements may at times work disadvantageously to him. But the system in general works to the general advantage of the grain business; and, further, it is the system which by the consent of the general parties in interest is embodied in the bill of lading. Under these circumstances, the Board is not justified in directing the revision of terms asked for.

The applicant states that Fort William should be an order point. Apparently he considers that if it were an order point it would meet the needs of his business. Section 208 of the Canada Grain Act provides that—grain, in carloads, may be consigned to be held in Winnipeg for orders en route to its destination on the direct line of transit. This is subject to various conditions, the more important being:—

(1) Payment of a charge, at point of shipment, of three dollars per car.

(2) The shipper to endorse upon the consignment note and shipping receipt "this car to be held at Winnipeg for orders," with the name and address of some company, firm, or person resident in Winnipeg who will accept advice from the carrier of its arrival in Winnipeg, and who will give to the carrier instructions on behalf of the owner for its disposal.

(3) Twenty-four hours' free time to be allowed after advice of arrival for disposal of the property.

It is further provided that such an arrangement may apply at Fort William and Calgary as well. At Winnipeg and Fort William, the provisions in respect of holding for orders apply only between the fifteenth day of December in any year and the first day of September in the following year.

The fact that Fort William was not an order point was referred to at the hearing, but not gone into. On search, it appears that there are no tariffs on file with the Board covering such provision at Fort William.

Chief Commissioner DRAYTON: I would dismiss the application.

CONSIDERATION OF THE MATTER OF THE PROPOSED RULES GOVERNING BAGGAGE CAR TRAFFIC IN CANADA.

Judgment, Mr. Commissioner MCLEAN, September 2, 1915:

By Order No. 195, of October 17, 1904, an interim approval was given to various forms and regulations used by the railway companies subject to the jurisdiction of the Board. Included in the forms so given temporary approval were the rules and regulations for the carriage of baggage. Questions having arisen as to the scope of certain rules concerned, the whole matter was taken up by the Board. The railway companies prepared a revised form of the regulations, and copies of these were sent to the Canadian Manufacturers' Association, the Montreal Chamber of Commerce, the Ontario

Wholesale Grocers' Guild, and the Boards of Trade of St. John, N.B., Quebec, Montreal, Ottawa, Kingston, Toronto, Hamilton, Brantford, London, Winnipeg, Brandon, Regina, Saskatoon, Edmonton, Calgary, Lethbridge, Vancouver, Victoria, and Nelson, for such submissions, written or oral, as they might desire to make. Submissions have also been received from the Commercial Travellers' Association of Canada, as well as from the Ontario Commercial Travellers' Association. Written statements from various individuals have also been received.

What is before the Board in the present application is the question of the rules, not of rates, carried in baggage tariffs.

The regulations as thus revised in preliminary form were gone over in informal conference between the Board's officers and the railway companies, with a view to simplifying the rules and narrowing down the points in issue. Subsequently, the matter was set down for hearing; at the hearing agreements were arrived at on various matters. For example, under Rule 18, dealing with the baggage allowance and liability in respect of Commercial Travellers' baggage, the railway companies had, in the provisional rules as submitted, exempted themselves from negligence by providing, in 18 (*c*), that they would be exempt from " . . . any claim whatsoever . . . and whether such loss, damage, or delay is caused by or results from negligence of the carrier, its servants or agents, or otherwise howsoever." By agreement at the hearing, this provision exempting from negligence was stricken out. Rulings were given on various matters. Thereafter, a further conference took place between the traffic representatives of the Canadian Manufacturers' Association, the Boards of Trade of Montreal and Toronto, the railway companies, and the Board.

The changes and amendments arrived at are incorporated in a revised proof copy of the rules on file. The matter now stands for determination as to various rules and portions of rules which have been reserved.

Subsection (*c*) of Rule 2, as submitted, read as follows, in regard to sample baggage:—

> " On and after June 1, 1914, only such trunks and cases constructed in the form of a trunk, or other rigid containers as are square or rectangular (all angles being right angles) will be accepted for transportation in regular baggage service, provided that any such trunk or case or other rigid container, may have one gable or bulging end, or not more than two bulging sides, each opposite the other."

At the hearing it was proposed by the railway companies that the rule should be amended by adding after the word " other," the last word in the last line of the subsection, the following words:—

> " And provided also that pentagonal-shaped trunks, described as trunks with one corner cut off, without bulging sides, and having a width at the top of not less than half the width of the bottom, and not less than ten (10) inches, will be accepted as sample baggage."

In the discussion at the hearing, Mr. Sargent, who appeared for the commercial travellers, said that the rule as thus drafted was satisfactory to the commercial travellers.

Mr. Walsh asked that, instead of this, a rule which he stated was in use in trunk line territory, should be used. The rule as stated by him reads as follows:—

> "Pentagonal-shaped trunks, without bulging sides, having a width at the top substantially one-half the width of the bottom, will be accepted for transportation."

Trunks of the nature referred to are used by cash register companies and automatic scale companies. A protest is on file from the Detroit Automatic Scale Com-

pany in regard to any change which would prevent trunks which are not rectangular or square from being accepted. The scale company appeared to be of the opinion that such a rule was proposed. The type of trunk, or container, used in handling cash registers is 19¾-inch high, 18-inch wide, 32¾-inch long, the distance from front to back, being at the bottom, 18-inch, and at the top 11¾-inch. In this case, the width at the top beingg 11¾-inch, and at the bottom 18-inch, this type of container would not be adversely affected by the rule as proposed by the railway companies.

The Detroit Automatic Scale Company states that the trunk it uses as a sample trunk is of the following dimensions: 34 inches high, 24 inches wide; the distance from front to back being, at the bottom, 27 inches, and at the top, 7 inches. It will be seen that this would be affected adversely by the rule proposed by the railway companies.

It appears that the rule asked for by Mr. Walsh was one which had been worked out tentatively and had been approved by the firms using pentagonal trunks. But it was never published officially in that form by the railway companies. The Interstate Commission, prior to its investigation of *Regulations Restricting the Shape of Baggage*, 33 I.C.C. 266, had suspended the rule directed against pentagonal trunks. This rule reads as follows:

> "Trunks or cases constructed in the form of a trunk, or other rigid containers, which are not square or rectangular, will not be accepted for transportation in regular baggage service, except that such trunks, cases, or other rigid containers will be accepted for transportation provided they have not to exceed two bulging sides."

Pending the decision of the Commission, the following rule was adopted, with the Commission's authorization, as an interim measure:—

> "Trunks or other rigid containers with more than two bulging sides, or with two bulging sides that are not opposed to each other, will not be accepted for transportation in regular baggage service."

When the decision was rendered by the Commission that pentagonal trunks should be accepted, the trunk lines accepted the interim regulations as their permanent rule, and it now governs.

In view of the traffic back and forth between the United States and Canada, in which the type of trunk involved is made use of, it is best to have uniformity of practice. Clause (e) of Rule 2, which is clause (d) in the amended draft, as well as the amendment thereto, should be stricken out and in their place should be put the Trunk Line Territory rule above set out.

Rule 10, which is headed "Canoes," provides that—

> "Canoes not exceeding eighteen (18) feet in length, when accompanied by sportsmen or campers to specified territory, will be checked upon payment of charge in accordance with current tariff. Canoes do not form any part of the free baggage allowance, and the charge therefor is separate from and has no connection with the charge for excess baggage."

Rule 9 (*b*) of the rules and regulations of 1904, above referred to, provided that—

> Canoes, skiffs, and other boats will not be taken on baggage cars, but must be forwarded by freight or express. This will not apply to closed or folded boats that can be folded or done up in packages not exceeding six feet in length, which may be accepted as part of hunters' equippage."

Nothwithstanding this provision in the rules, various tariffs provide for the carriage of canoes, skiffs, and other boats in baggage cars.

Rule 10 proposes to limit the practice to the carriage of canoes. The reasonableness of the refusal to carry skiffs and rowboats under the rule was reserved.

Baggage is defined by Story on Bailments as "Such articles of necessity or personal convenience as are usually carried by passengers for their personal use." Disney, in "The Law of Carriage by Railway," defines personal baggage in a summary way as including what a passenger takes with him for his personal use and convenience, according to the habits and class of life to which he belongs. This is in substance the definition contained in *Macrow v. Gt. W. Ry. Co.* Practically the same definition appears in an American decision—*Illinois Cent. Ry. Co. v. Matthews, 72 S.W. 302-303.*

In England it appears to be well established that the personal baggage which a person is entitled to have carried with him in right of his having purchased a ticket, for his own convenience, is limited to clothing and such articles as a traveller usually carries with him for his personal convenience.

Great Northern Ry. v. Sheppard, 8 Ex., at p. 38. *Hudson v. Midland Ry. Co.,* L.R. 4, Q.B., at p. 71.

Sheets, blankets, and quilts being intended for use in the household when permanently settled, cannot be considered as personal or ordinary passengers' luggage.

Macrow v. Great West Railway Co., L.R. 6, Q.B. 612.

Cahill v. London and North Western Railway Company, C.B.N.S. 819.

The Canadian and American decisions are in harmony with the English decisions. Reference may be made to a case decided in 1858, *Shaw v. The Grand Trunk Ry. Co.,* 7 U. C. Common Pleas Reports, at p. 494, where *Great Northern Ry.* v. *Shephard* was followed.

The general position is contingent to some extent upon the light of particular facts, and the Board has to be governed by the decisions as rendered. The decisions have set out certain articles which are baggage and others which are not. A brief list of articles which have been held not to be baggage will be found in a note on p. 300 of Browne and Theobald's Law of Railways, Third Edition. While it has been held that certain articles carried for convenience or amusement, e.g., a gun or fishing tackle, may fall within the scope of baggage, it does not appear that skiffs and rowboats have been so regarded.

The carriage of canoes, skiffs, and rowboats is not something falling within the carriage of baggage. It is simply an added convenience. The railway companies desiring to exclude the carriage of skiffs and rowboats in baggage cars, say that these articles take up too much space as compared with canoes and are hard to handle. The baggage car is primarily for the handling of personal baggage. There are other methods by which the skiffs and rowboats can readily be forwarded; it is not unreasonable to allow the rule in its proposed form to stand. It is, in fact, the addition of a privilege which was not permitted by the rule as it formerly stood.

Rule 11 provides for a limited liability in regard to the articles embraced in rules 5 (a), 6, 7, 9, and 10. Rule 11 reads as follows:—

LIMITED LIABILITY.

"Rule 11. The carriers issuing and concurring in these regulations shall not be liable in respect of or consequent upon loss of or damage or delay to any receptacle, package, or bundle containing any of the articles specified in Rules 5 (a), 6, 7, 9, and 10 of these regulations and the contents thereof, or any of such articles not contained in a receptacle, package, or bundle, for any amount in excess of $5, whether such loss, damage, or delay is caused, by or results from the negligence of the carrier, its servants or agents, or otherwise howsoever, which sum shall be deemed to be the value of any such receptacle, package, or

bundle or such article not so contained unless a greater value is declared and extra charge paid at time of checking in accordance with the current tariff of the carrier."

The rules referred to therein embrace the carriage of baby carriages, go-carts, baby-sleighs, children's velocipedes, tricycles, or similar vehicles, toboggans with necessary attachments, racing shells, or racing canoes for regattas when accompanied by persons in charge.

Exception was taken to the limitation contained in Rule 11. It was contended by the railway companies that in carrying these articles a concession was being made, as they did not fall within the scope of, the definition of baggage. The exception, however, did not turn on this point, but on the question of liability. Under the rule there is an option. The lower rate provides for a $5 limitation as to value. If a greater value is declared, then there is a higher rate, under which the railway company assumes the burden of being a full insurer.

The arrangement is reasonable and may be approved.

Rule 12 provides as follows:—

MISCELLANEOUS ARTICLES.

"Rule 12. The following miscellaneous articles other than baggage will be checked and included in the weight of passengers' baggage, only upon the condition, however, that the carrier shall not be responsible for loss thereof, or damage or delay thereto, whether caused by or resulting from negligence of the carrier, its servants or agents, or otherwise howsoever, namely, tool chests, miners' and prospectors' packs, collapsible steamer chairs (roped), invalids' chairs (when for use of an invalid travelling on same train), unloaded guns in leather or wooden cases, saddles in bags, surveyors' tools wrapped, except transits, levels, compasses and other similar instruments liable to injury; personal baggage in bundles, when properly wrapped in canvas, or other strong material, (paper wrapping excepted) and securely roped; golf, cricket, baseball or other club paraphernalia in closed receptacles, travellers' rugs, curling stones, sportsmens' and campers' outfits in dunnage bags and medium-sized boxes with proper handles, also tent and tent poles (not exceeding 15 feet in length)."

What is material here is the provision, "only upon the condition, however, that the carrier shall not be responsible for loss thereof, or damage or delay thereto, whether caused by or resulting from, negligence of the carrier, its servants or agents, or otherwise however."

By Rule 1 (c) of the Rules as temporarily approved in 1904, certain of the articles which are now carried under Rule 12 were provided, for, it being stated that the articles would be checked and carried entirely at "owner's risk." It was stated by the railway companies at the hearing that the wording set out in Rule 12, in the portion which has beeen specifically quoted, was simply by way of elaboration of what was meant by "owner's risk."

It was shown by the railway companies that when these articles are included in the weight of passenger's baggage, there is no charge made therefor. It was stated that a privilege is being granted in allowing them to be so carried.

In contending that the limitation as set out was simply by way of elaboration of what was meant by "owner's risk," Mr. Chisholm said, at p. 4742 of the evidence:—

"We want the intention of the original words expressed in the light of any possible decisions the other way."

It was, in substance, contended by the railway companies that the provisions as to "owner's risk," as set out in regard to freight, had no pertinency here, it being stated

that a different principle applies in the case of freight. In the Freight Classification, the "owner's risk" provision is contained. Section four of the Bill of Lading provides:—

> "When, under the terms of the classification or special reduced tariffs, the goods are carried at owner's risk, such conditions are intended to cover only such risks as are necessarily incidental to transportation, and shall not relieve the carrier from liability for any loss, damage, or delay which may result from any negligence or omission of the carrier, its agents or employees, and the burden of proving freedom from such negligence or omission shall be on the carrier."

No decision has been referred to in reference to the significance of the words "owner's risk," as contained in the baggage rules tentatively approved in 1904. Subject to the relevancy of the alleged distinction, in point of principle, between articles carried as freight and articles carried under the baggage rules, the English decisions point to "owner's risk" having a narrower significance than what is asked for here. A contract to carry goods at "the owner's risk" exempts the company from the ordinary risks incurred by goods along the railway, but not from liability for negligence such as delay in delivery. *Robinson* v. *Gt. W. Ry. Co.*, 35 L.J. C.P. 123, H. & R. 97. *D'Arc* v. *L. & N.W. Co.*, L.R. 9 Q.B. 325. *Goldsmith* v. *G. T. Ry. Co.*, 44 L.T. 181; 29 W.R. 651. On the other hand, if the owner has notice that the company carries at a lower rate "where the sender relieves them from all liability of loss, damage, or delay," unless caused by wilful misconduct, a contract to carry at the lower rate, at the owner's risk, must be interpreted by the sender's knowledge of its meaning, and will exonerate the company from liability for negligence. *Lewis* v. *Gt. W. Ry. Co.*, 3 Q.B.D. 195. When goods are accepted by an express company at owner's risk, the shipper takes all risks of breakage, loss, or damage, except when caused by the negligence of the carrier. *Pigeon* v. *Dominion Express Co.* Q.R., 11 S. C. 276.

If the articles in question are carried as a privilege and without charge, then the transaction is in the nature of a bailment for the benefit of the bailor alone, and it would appear that the situation is, to some extent at least, analogous to the case where there is a deposit of goods to keep for the bailor without reward. There it has been held that the bailee is liable where there is gross negligence.

Whether the words, "owner's risk" in regard to the articles carried under Rule 17 are to be given such a meaning as is set out in the paraphrase of the alleged intention, set out in the rule, is a matter for the Courts to decide. The limiting words asked for in the rule should be stricken out and replaced by the words, "owner's risk," as contained in the rules provisionally approved in 1904.

The general question of the right of the railway company to limit its liability in respect of baggage was raised. The provision contained in Rule 17 is that 150 pounds of baggage, not exceeding $100 in value, will be checked without charge for each adult passenger, and 75 pounds, not exceeding $50 in value, for each child travelling on a half ticket. Certain additional provisions are set out in regard to the weights of baggage which may be carried on certain tickets, but the value limitations are the same.

Section 283 of the Railway Act provides that:—

> "A check shall be affixed by the company to every parcel of baggage, having a handle, loop, or suitable means for attaching a check thereupon, delivered by a passenger to the company for transport; and a duplicate of such check shall be given to the passenger delivering the same."
>
> "2. In the case of excess baggage the company shall be entitled to collect from the passenger, before affixing any such check, the toll authorized under this Act."

At the hearing the following queries were raised:—

First, has the carrier the right to limit the liability to $100?

Second, is it not compulsory for the railway company to check baggage offered for carriage by a passenger (*a*) where it is not excessive baggage; (*b*) if it does not contain dangerous articles?

How the limitation of liability to $100 developed in Canada, in the first instance, does not appear. Nor is it set out how long it has existed. In the case of express shipments, the Board has recognized that a value of $50, unless a higher one is declared, is a reasonable one to apply.

What the Board is concerned with is (1) has it power to sanction the limitation; (2) is the limitation a reasonable one?

Dealing, first, with the question of reasonableness. It does not appear to be unreasonable that the railway company should, on proper notice given, protect itself against liability as an insurer of baggage exceeding a certain amount in value, except upon additional compensation proportioned to the risk. The question of rates is not involved in the present hearing. But, under Rule 3, the passenger has the option of taking advantage, on terms, of the railway company's liability as an insurer up to an amount not exceeding $2,500. The railway company carries, under the $100 limitation, without any additional charge. The limitation is not unreasonable and may be approved under Section 340.

Rule 23 (*d*), dealing with storage, read, when submitted, as follows:—

> "The carrier shall not be liable for loss of or damage to any such baggage or other articles held in storage, unless negligent, and after the expiration of 48 hours from the receipt of such baggage or articles in storage, the carrier shall not be liable for loss thereof or damage thereto, whether caused by the negligence of the carrier, its servants or agents, or otherwise howsoever."

Rule 24 (*c*) of the Rules of 1904, dealing with storage, provided that all baggage was to be stored at "owner's risk."

In the course of the discussion at the hearing, it was tentatively suggested that, instead of the words "forty-eight hours from the receipt of such baggage or articles in storage," which are found in the second and third lines of the clause, the following should be inserted:—

> "Nine days in addition to the twenty-four hours referred to in subsection (*a*) of the rule."

This tentative suggestion was agreeable to the railway companies. Objection was taken by the shippers' representatives to the rule, both in its original form and as amended.

As has been pointed out, the old rule was that baggage was to be stored at "owner's risk." Mr. Chisholm's analysis, at p. 4758 of the evidence, of the liability which will attach under the proposed rule, is substantially as follows:

For the first twenty-four hours there is the full carrier's liability for everything except the act of God and the King's enemies; that for the next forty-eight hours the carrier is liable as a warehouseman only; and that, after that, there is no further liability, even for negligence.

And he stated that the railway companies were not warehousemen for baggage; that they did not want to have the baggage there, but wanted to get rid of it, and they did not want to encourage people leaving it there. He was of the opinion that when the railway companies provided for the carrier's full liability for the reasonable time of twenty-four hours, and then an additional forty-eight hours for the warehouseman's liability, it was reasonable there should not be any further liability.

Mr. Carpenter, who made a submission by letter on behalf of the Winnipeg Board of Trade, in which objection was taken to the limitation of liability under this rule, raised the following points:

The railway company proposes to exempt itself from all liability for negligence, or otherwise, at the expiration of forty-eight hours; that while, after the forty-eight hours, the railway company desired to be exempted from negligence, there still was a charge for storage; that in some cases storage charges arose from mistake of carriers, as, for example where baggage is not forwarded on the same train with the passenger, or within a reasonable time thereafter; or where there has been improper checking or forwarding at point of origin, or through mistake in handling.

The question of the liability of the carrier in respect of transit has been the subject of judicial decision. As summarized in Disney, p. 85, the situation is as follows:

> "The transit of the goods then lasts from the time the company accepted the goods for transit until the transit is ended, which may take place either by, first, actual delivery, or, second, tender and refusal to accept, or refusal to pay charges; or, third, attempt to deliver and failure through no fault of the company; or, fourth, failure by the consignee to remove in a reasonable time after arrival or notice of arrival; or fifth, by the company agreeing to warehouse the goods. As long as the transit lasts, the liability of the company is that of the carrier.
>
> "As soon as the transit is at an end, the liability as a carrier ceases. The whole liability of the company, however, does not come to an end with the end of transit, unless the goods have been delivered. If they remain in the hands of the company, the company are liable for their safety, not as carriers, but as warehousemen."

When the company carries goods to their destination, and the owner does not, within a reasonable time, take them, so that the company is forced to keep them, the company is nevertheless liable as bailee, and is bound to take ordinary and reasonable care of them.

Mitchell v. Lancashire & Yorkshire Ry. Co., L.R. 10, Q.B. 256.

Heugh vs. L. & N. W. Ry. Co., L.R. 5 Ex. 51.

From the leading case of *Coggs v. Bernard,* it follows that the obligation of the company as warehousemen is to take proper care that the goods are safely kept from loss or injury.

In the notes to the decision in *McMorran v. C.P.R.,* 1 Can. Ry. Cas. 217, the situation as summarized at p. 226 is as follows:—

Carriers become warehousemen either (*a*) where notice of the arrival of the goods has been given to the consignee and he has had a reasonable time to remove them; or (*b*) where, even though no notice is given, he knows, or ought to know, of their arrival, or does not claim them.

The transportation of a passenger's luggage is an incident to the passenger's trip; and he should call for it within a reasonable time after the trip ends. After such reasonable time has expired, the company's liability as insurer ceases, and becomes that of warehouseman or bailee. Whether the company's liability will be that of warehouseman will depend on whether it is entitled to charge storage or not. See note to section 283, "Jacob's Law of Canada," p. 441. See also notes in "Abbott, Railway Law of Canada," pp. 352-357, inclusive. At p. 353 Abbott states:—

> "The generally recognized principal in England and the United States is that liability of the company ceases on the arrival of the train and expirtaion of a reasonable time given the passenger to take delivery of his luggage. The contract of the company with the passenger is to carry him and his luggage to a point of destination and there deliver the baggage to him; but during such

transit they are liable as common carriers for the safe carriage and delivery of the luggage; but if the passenger, at his own convenience, chooses to leave the luggage at the station on the arrival of the train, they become only depositaries and are liable as warehousemen or bailees."

Under the cases, then, it appears that the obligation of the railway company as an insurer, under its carrier's liability does not terminate when the baggage arrives at the station, but continues for such reasonable time thereafter as is necessary for the passenger to take the baggage. It is within the decisions that what is a reasonable time has been regarded as a matter of particular facts.

What is asked for in the rule before the Board is an approval of the limitation of liability. Under section 340, the contracts, etc., limiting liability, which have validity when approved by the Board, are contracts "impairing, restricting, or limiting the liability of the railway company in respect of the carriage of any traffic." Until a time reasonably sufficient for the delivery of baggage has elapsed, the liability of the carrier continues, and it is within the jurisdiction of the Board to say what is a reasonable time for the termination of that liability.

The decisions establish that when the liability as a carrier terminates, the liability as a warehouseman begins. The Board is not given any jurisdiction, under section 340, to limit the railway company's liability as a warehouseman. In view, then, of the limitation of the Board's jurisdiction and the laws established by the decisions, the proposed rule 23 (*d*) should be reworded to read as follows:—

"After the expiration of twenty-four hours from the receipt of such baggage, or articles in storage, the carrier shall be liable as a warehouseman only."

Rule 26 (*c*), as submitted, read:—

"The liability of the carriers for loss of or damage or delay to baggage, or other articles, checked to points beyond their lines, shall cease as soon as such baggage or article is delivered to next connecting carrier."

From time to time, complaints have been presented to the Board dealing with difficulties which have arisen under the existing practice, which the rule just quoted sets out, if, for example, a passenger took a through ticket from a point on railway A to a point on railway C, passing in the course of his journey over railway D, and if, on arrival at destination, be found that his baggage had been lost in transit, or damaged, or some articles stolen therefrom, he was faced with the difficulty that the initial line which had checked the baggage claimed that its liability ceased as soon as the article passed off its own line; and under such circumstances it would be exceedingly difficult for the passenger to ascertain just where the liability attached. The railway company has superior facilities for ascertaining just where the loss or damage originated, and it can follow up the matter with the carrier concerned. It is in a position to obtain settlement and make adjustment with the passenger. The question was gone into at the hearing and a direction as to submitting a rule to take care of this situation was given the railway companies. A draft rule has been submitted, which has been gone over by the traffic representatives of the Canadian Manufacturers' Association and the Boards of Trade of Toronto and Montreal. The draft has been found satisfactory by them.

The following, which sets out the new rule, and which is now approved by the Board, will therefore be incorporated in the baggage rules:—

"26 (c). In the case of baggage or other articles checked upon a through ticket at any point in Canada for conveyance to another point in Canada over any railway or railways subject to the legislative jurisdiction of the Parliament of Canada, other than the Intercolonial Railway and the National Transcon-

tinental Railway, the carrier checking such baggage or other articles, in addition to its other liability under these regulations, shall be liable to the extent provided for by these regulations for any loss, damage, or injury to such baggage or other articles caused by or resulting from the act, neglect, or default of the connecting or other carrier to which such baggage or other articles may be delivered in Canada, and from which the connecting or other carrier is not by these regulations or otherwise by law relieved; and the carrier so checking the baggage or other articles shall be entitled to recover from the connecting or other carrier on whose line the loss, damage, or injury shall have been sustained, the amount of such loss, damage, or injury as it (the checking carrier) may be required to pay under this regulation, as may be evidenced by any receipt, judgment, or transcript thereof; and except as provided by this regulation, the liability of the carriers for loss of or damage or delay to baggage or other articles checked to points beyond their lines, shall cease as soon as such baggage or article is delivered to the next connecting carrier."

Chief Commissioner Drayton, Assistant Chief Commissioner Scott, and Mr. Commissioner Goodeve concurred.

COMPLAINT OF DR. J. W. EDWARDS, M.P., IN THE MATTER OF THE TRAIN SERVICE ON THE CANADIAN NORTHERN RAILWAY LINE BETWEEN SYDENHAM, HARROWSMITH JUNCTION, AND KINGSTON, ONT.

Judgment, Chief Commissioner DRAYTON, September 30, 1915:

The application states:—

"In 1892 the Township of Loughboro passed a By-law granting a bonus of $5,000 to the Kingston, Napanee and Western Railway Company, which was to extend its line from Harrowsmith to Sydenham, a distance of about three or four miles.

"The agreement between the Township and the company required the company to run a train for passengers and freight from Sydenham Station to Harrowsmith in the forenoon and another in the afternoon. These trains to connect with the trains going to and coming from the City of Kingston. This was to be daily. Sundays excepted.

"It was further agreed that the company could only fail in carrying out this service, upon the repayment to the Township of the said bonus of five thousand dollars.

"Since this agreement, the road has been taken over and now forms a part of the Canadian Northern Railway. About the first of the year, the Railway Company took off the morning train, so that the people of Sydenham have no connection whatever with the trains running to Kingston. This is of course, a very great inconvenience to that place, which is the largest village in the County of Frontenac."

The railway company in its reply submits that the by-law, the basis of the complaint, reads as follows:—

"The said company are to run a train for passengers and freight from said station (Sydenham) in the forenoon and one back to it in the afternoon, making connection with the trains at Harrowsmith every day in the week except Sunday."

The company further states that the by-law had been complied with, as Train No. 7 left Sydenham at 1.59 a.m. and arrived at Harrowsmith at 2.09 a.m.; and that

a train left Kingston at 2.45 p.m. arriving at Harrowsmith Junction at 3.40 p.m. connecting with train arriving at Sydenham at 3.50 p.m. The company's answer proceeds:

> "There is no doubt that at the time the by-law referred to was passed, the people in Sydenham did not contemplate being on an important trunk line between Ottawa, Toronto and Montreal, and Sydenham being now on the main line of our railway between these points is, we think, of very much greater advantage to the community than the local service at Harrowsmith, the distance between Harrowsmith and Sydenham being 4·3 miles.
>
> "Sydenham now gets the benefit of all through trains, and when business improves and the line opens through to Montreal we expect to have a local service between Ottawa and Kingston, in addition to the present main line service.
>
> "Sydenham now being on the main line has a day and night service east to Ottawa and west to Toronto and intermediate points, and while the morning connection to Kingston is at an awkward hour and involves a wait at Harrowsmith Junction, we still feel that it is a technical compliance with the by-law and that the only question that should be decided is whether Sydenham gets a reasonable service from the railway at the present time."

Sydenham lies about four miles east of Harrowsmith and the inspector reports that there is a good stage service between Harrowsmith and Sydenham by which connection can be made for Kingston.

The discontinuance of Train No. 71, of course, gives rise to the complaint. Train No. 71 was a local from Deseronto to Sydenham and return.

The receipts at Sydenham Station have been gone into by the Board, with a view to ascertaining whether or not, under the general provisions of the Act ,the Board could order the service to be re-instated. Taking the six months' period commencing on the 1st of October, 1914, and ending March, 1915, it was found that the total passenger earnings amounted to $130; the total freight earnings to $650.61; and the total express earnings to $31.30; resulting in gross earnings of about $811.91 for the period.

The Inspector, dealing with the question, of course as entirely a matter of reasonable service for traffic offered, proceeds in his report as follows:—

> "After going carefully into this matter with the agent and making full inquiries, there would seem to be little or no room for complaint, as Sydenham is on the main line of the Canadian Northern Railway between Toronto and Ottawa, and all trains stop at this station."
>
> "The service between Sydenham and Kingston is not so good as it might be, but there is an up-to-date stage coach or motor, which runs between Sydenham and Harrowsmith and makes the connections for Kingston. The handling of freight at Sydenham is the same as it always was, and it would be unfair to the railway company to ask them to put on a train, or run train No. 71 through from Yarker to Sydenham, a distance of about 10·6 miles, which could not be done except at a great loss to the company. It would cost at least $20 or $25 per day to do this, and you will note by the earnings for the three months when the train was on, that it was a losing proposition.
>
> "The fact that Sydenham is now located on the Canadian Northern Railway main line between Toronto and Ottawa, and gets the benefit of all the through service, should form some compensation for the slight inconvenience of the poor connections to Kingston."
>
> "Have no doubt that when business increases, the proper service will be put on and better connections made for Kingston; but, under the present strenuous conditions, it would be unfair to ask the company to run train No. 71 to Sydenham."

The Company also filed a statement showing freight and passenger business between Sydenham and Kingston which covers the period commencing June 1st, 1910, to June 5th, 1911. At this time Sydenham had no service on the main line, and the railway was not operated by the Canadian Northern. The return shows that 1,007 passenger tickets were issued at a gross return of $798.90, and 481,764 pounds of freight handled at a gross return of $270.38.

Under such circumstances, it is clear that no Order can be made directing the Company to maintain the service, which in view of the total earnings shown, was entirely unremunerative, resulting in losses to the Company which could only be made up from earnings supplied by other localities.

Adequate service under the provisions of the Railway Act is a service which it is the duty of the Board to see furnished; and, so far as service is concerned, under the circumstances of this case, no Order can be made.

The right of the municipality under its bonus by-law stands, however, on a different basis.

A hearing by the Board was had in Toronto, at which the Company was called on to show cause why the by-law should not be carried out.

The clauses of the by-law applicable are:—

> "The said Company are to run a train for passengers and freight from said station (Sydenham) in the forenoon and one back to it in the afternoon, making connection with trains at Harrowsmith every day in the week except Sunday.
>
> "Should the said Company at any time hereafter fail to maintain said road and station or run said trains they can only do so upon repaying said bonus of $5,000 to said municipality."

The Company is maintaining the station. It is giving Sydenham, owing to the fact that Sydenham is now on the main line of the Canadian Northern, greater railway accommodation than that called for by the by-law, in that the Company runs two eastbound trains and two westbound trains between Toronto and Ottawa daily, all stopping at Sydenham and at Harrowsmith,—the westbound trains leaving Sydenham at 1.59 a.m. and 3.10 p.m., and the eastbound trains arriving at Sydenham at 4.18 a.m. and 4.10 p.m.

Before the installation of the Canadian Northern service, through east and west traffic, either from or to Sydenham, was carried by the Kingston, Napanee, and Western by way of Harrowsmith to Kingston. So far as this service is concerned, there is no doubt that it is much better looked after so far as Sydenham is concerned under the present train service carried as it is east and west direct, than by what was formerly practically a transfer to Kingston.

While no doubt the east and west traffic is something which Sydenham was interested in and possibly one of the reasons why the township agreed to give the bonus of $5,000 to the construction of the line, undoubtedly, however, the local service between Sydenham and Kingston was a matter of moment: and it is a service, between Kingston and Sydenham, which is without any reservation covered by the by-law.

The company does not dispute that its predecessors pledged themselves to observe the terms of the by-law. There is no doubt that the $5,000 was accepted, and accepted subject to these terms. Under it, the company has to run a train in the forenoon and one back in the afternoon connecting with the trains at Harrowsmith. This connection at Harrowsmith is a Kingston connection.

The only morning train from Sydenham to Harrowsmith is the 1.59 a.m. train, arriving, at Harrowsmith at 2.09 a.m.; and the morning train from Harrowsmith to Kingston on the Canadian Central Railway leaves Harrowsmith at 9.15 a.m., entailing a wiat of seven hours at Harrowsmith.

At Harrowsmith both railways run into the same station, and trains on the Canadian Pacific can conveniently be taken from Harrowsmith to Kingston. The first train from Harrowsmith on the Canadian Pacific Railway leaves at 6.55 a.m., making a wait of four hours.

Apart from any question of connections, however, I am of the opinion that an obligation to supply a train in the forenoon is not met by supplying one an hour and fifty-nine minutes after midnight. The by-law accepted by the company's predecessors as it was, is one, which as I construe it, was intended to provide, and did provide, for a service which could be used by the people of Sydenham, a service which would enable them to leave Sydenham in the morning and not at night, and return in the afternoon. There is no difficulty about the afternoon train, as one leaves Harrowsmith at 3.55.

I am of the opinion, therefore, that the company has not provided the morning service, which, under the bylaw, it is obliged to do; and that, again under the bylaw, unless this service is given, the bonus of $5,000 has to be repaid.

I have no doubt that the people at Sydenham would sooner that a proper morning service to Harrowsmith with proper connection to Kingston would be given than that the township should recover this $5,000. In view of the earnings, however, as already pointed out, the Board cannot order that to be done. The company, however, will be given the option of restoring the service within one month, and thereafter maintaining it, or of repaying the $5,000 bonus.

No order will, therefore, issue, until the 1st of November, when, in the absence of the restoration of the service, an order will go directing repayment of the $5,000 by the Canadian Northern Railway Company to the municipality.

Mr. Commissioner McLean concurred.

ENQUIRY OF THE QUEBEC CENTRAL RAILWAY COMPANY, PER E. O. GRUNDY, SHERBROOKE, QUE., AS TO WHETHER IT CAN MAKE A REFUND IN FAVOUR OF THE DOMINION LIME COMPANY ON OVERCHARGE OF FREIGHT ON CAR OF LIME SHIPPED FROM LIME RIDGE TO STANSTEAD, QUE., IN DECEMBER, 1914.

Judgment, Mr. Commissioner McLean, Oct. 2, 1915:

Application was made by the Quebec Central Railway Company to authorize a refund in rates. On December 19, 1914, the Dominion Lime Company, of Sherbrooke, Que., shipped a car of lime, M.C. 3804, from Lime Ridge to Stanstead, Que. The car was billed at a rate of 13 cents per 100 lbs., a total charge of $39. This was made up of the combination of the Quebec Central commodity rate of 4 cents to Sherbrooke, plus the class rate from Sherbrooke. A tariff had been put in effective June 10, 1912, which quoted a joint rate of 8 cents per 100 lbs. on this commodity. The tariff had been cancelled April 26, 1914. When the shipment was made, the Dominion Lime Company assumed that the 8-cent rate was still operative. The Maine Central Railway Company and the Quebec Central Railway Company are concerned with the movement. Shipment is between two points in Canada. The Quebec Central Railway Company is not subject to the Board's jurisdiction; the Maine Central Railway Company is.

Effective April 26, 1915, a joint commodity tariff was issued by the Maine Central Railway Company in connection with the Boston & Maine Railroad via. Quebec Central. This quotes a rate of 9 cents per 100 lbs. from Lime Ridge to various points in Quebec, one of which is Stanstead. The Boston & Maine Railroad Company, on behalf of the Maine Central Railway Company, states that it is agreeable to a reduction of the rate charged to the new basis of 9 cents and to make reparation accordingly.

The Board is given no power to authorize a refund from a rate properly quoted under tariff, and if the matter stood on this ground alone nothing could be done.

Section 338 of the Railway Act provides—

> " . . . upon any such joint tariff being duly filed with the Board the company or companies shall, until such tariff is superseded or disallowed by the Board, charge the toll or tolls as specified therein . . . "

In the application of C. P. Riel for an order directing the Great Northern Railway Company to refund alleged overcharge on shipment of ties from Rykerts, B.C., to Portage la Prairie, Man., File 9659, the joint rate had been taken out, and thereafter the movement had to be on the combination of the locals. It was held by the Board that under Section 338 of the Railway Act the joint tariff could not be cancelled without filing a new one in substitution of it; that supersession did not mean cancellation, and that the only way to supersede was by filing something to take the place of the rate, that is by filing a through rate. Refund of the excess was authorized.

As indicated, the 13 cent rate charged is made up of the commodity rate on the Quebec Central and the class rate on the Boston & Maine. The rate comes within the ruling in the Rykerts case above referred to, and reparation should be made of the excess over and above the 8-cent rate.

As already stated, the Board has no jurisdiction to issue direction to the Quebec Central as to its portion of the rate; but it is understood from the correspondence that this railway company is willing to join.

Chief Commissioner Drayton concurred.

APPLICATION OF THE BOARD OF HIGHWAY COMMISSIONERS FOR THE PROVINCE OF SASKATCHEWAN, FOR AN ORDER AUTHORIZING THE CROSSING OF FIRST STREET SOUTH OVER THE STATION GROUNDS OF THE CANADIAN NORTHERN RAILWAY COMPANY AT THE TOWNSITE OF TURTLEFORD, SASK.

Judgment, Chief Commissioner DRAYTON, October 2, 1915:

The application is made by the Board of Highway Commissioners on the distinct understanding that both the cost and maintenance of the crossing should be borne by the railway company. The application points out that plans have been prepared by the company and approved by the proper officials.

In its reply, the company states:—

> "This crossing is being applied for by the Public Works Department on behalf of the Townsite Company.
>
> "According to the Surveys Act, Saskatchewan, it is necessary to give an approach to a subdivision from two of the roads surrounding the section. In this case one of the approaches calls for a crossing of the Canadian Northern Railway who have approved of the crossing but are senior to the roadway at the point of crossing.
>
> "The Townsite Company, as owners of the townsite, are tax-payers in the municipality and should not be shouldered with the full cost of maintenance and construction of the crossing, which, I think, should be installed and maintained at the expense of the municipality for whose benefit the crossing is put in. If the cost is borne by the municipality, the Townsite Co. will pay their share of its cost in their general taxes along with the rest of the owners in the townsite."

In its answer to the defence of the railway company, the Board states:—

> "This is a case where it was brought to our attention that the Board would not accept an application from the railway company or from the Townsite Company, and, therefore, at their request we made the application. I would draw your attention to the fact that your Board in other cases have accepted applications from the railway company and have granted orders

placing the cost and maintenance of these crossings upon the railway company. Order of the Board No. 19548 covers road connections at the townsite of Ceylon, Ardath, Hearne, Parkman, and Bratton. Your Board has also accepted applications from the C.P.R. in exactly similar cases and have issued orders. For instance, a road connection at the townsite of Herschel, order of the Board No. 19024; road connection at Leipzic, order of the Board No. 19026; and more recent still road connection at Raycraft, order of the Board No. 22977.

"The regulations of this Government regarding new townsites requires that each townsite be connected by streets with two of the road allowances which adjoin the section and it is often necessary in order to comply with these regulations that one of the streets cross the railway right of way, but we have refused to approve of any townsite plan until an order of the Board of Railway Commissioners has been issued placing the cost and maintenance of the crossing upon the railway company or the Townsite Company."

The practice of the Board is uniform. Where a railway is carried across a highway, all the costs of the construction and maintenance of the highway crossing which results is placed upon the railway. When new highways are laid out at the request of the municipality over railway tracks, and the property of the railway is thus made subject to the construction of a road across it and its use, in like manner, the cost and maintenance of the crossing is borne by the applicant.

It is manifestly fair that the party desiring the crossing and obtaining the benefit of it should be at its expense. It would be manifestly unfair for municipalities, in addition to having their highways burdened by new railway crossings, to have to pay for them; and the same principle applies conversely just as much in favour of the railways.

The orders referred to by the Board of Highway Commissioners do not appear to be in conflict with the principle; but, if they were, they should not be followed. The first order referred to, order No. 19548, was made on the application of the Canadian Northern Railway Company and on the consent of the department of the province. Orders No. 19024 and 19026 were again made on the application of the Canadian Pacific Railway Company, the proper department again consenting. Order No. 22977 was made on the application of the Canadian Pacific for authority to construct its railway across a street at Reycraft. This application was again one consented to, and the appropriate order issued.

In each one of these cases, the applicant, the party desiring the crossing and by its action showing that it at least thought it was benefiting, pays the cost. The ordinary principle applied.

There is no question as to the reasonableness or propriety of the regulations of the province requiring that each townsite should be connected by streets with two of the road allowances which adjoin the section, and that proper and necessary highway crossings should, in proper instances, be authorized by the Board, in order to give effect to this regulation. That has nothing to do with the cost.

Apparently the townsite company is the interest which requires the crossing. The cost should be borne by the municipality which can protect itself, if it so desires, by obtaining the comparatively small sum necessary to construct the crossing from the Townsite company before any work is actually done. The whole question is in the hands of the provincial and municipal authorities.

The crossing that is desired is unobjectionable, so long as it is constructed in accordance with the Standard Regulations of the Board, and authority will be given for its construction on terms that the costs are not thrown on the railway company. It is not a crossing which the Board should or indeed could order the local interests to make,—it is one which they may or may not construct, as they may determine.

Mr. Commissioner Goodeve, concurred.

APPLICATION OF THE ST. JOHN RAILWAY COMPANY UNDER SECTION 227 OF THE RAILWAY ACT, FOR LEAVE TO CROSS WITH ITS TRACKS THE TRACKS OF THE ST. JOHN BRIDGE AND RAILWAY EXTENSION COMPANY AT DOUGLAS AVENUE, IN THE CITY OF ST. JOHN, PROVINCE OF NEW BRUNSWICK.

Judgment, Chief Commissioner DRAYTON, October 4, 1915:

An Order has already gone, permitting the applicant company to cross with its tracks the tracks of the St. John Bridge and Railway Extension Company, as shown on the plan filed under the application.

It became apparent that the crossing, in as much as general highway traffic was concerned, was already protected by gates operated by a watchman; but, as no proper information as to the manner in which these gates were installed or operated was before the Board, the question of future operation of the necessary half-interlocker was not dealt with.

Messrs. Weldon & McLean, solicitors for the applicant, now write stating that the cost of the watchman who has been and is operating the gates for the protection of general highway traffic is borne entirely by the Canadian Pacific, and this advice is confirmed by the Honourable the Attorney General for the province.

The demands of the crossing at this interlocker are such that the case is not one in which the interlocker can conveniently or, indeed, profitably be looked after by the conductors of the street cars; and it is necessary that a watchman should be appointed for that purpose.

In the absence of any watchman at the crossing, the applicants would, therefore, be at the full cost of a watchman. As it is, the watchman now protecting the crossing against general traffic can equally well look after the operation of the interlocker.

Under the circumstances, the costs for watchman should be divided between the applicant and the Canadian Pacific Railway Company, and the care of the interlocker added to his present duties.

Mr. Commissioner McLean concurred.

PETITION OF THE RESIDENTS OF EUNICE, ALTA., PROTESTING AGAINST THE LOCATION OF THE PROPOSED SITE OF STATION ON THE LINE OF THE EDMONTON, DUNVEGAN AND BRITISH COLUMBIA RAILWAY COMPANY AT THAT POINT.

Judgment, Mr. Commissioner MCLEAN, October 6, 1915:

At the sitting of the Board in Edmonton on May 28, 1915, complaint was made on behalf of the residents of Eunice against the proposed site of the railway station. At present, there is a siding some distance south from Eunice, and it is desired by the applicants to have the station located closer to Eunice. The railway company desires to locate its station on the land on which the siding is located. This siding has been located in its present position for over two years. The railway company has no land at the point where the applicants desire the station to be located. The railway company has not in mind the construction of a station at present, as it states that existing business does not warrant it. The railway company has no application before the Board as to the location of a station at this point. In reality, the desire of the applicants to have the station located closer to Eunice involves the re-location of the siding.

The matter had already been looked into by one of the Board's Officials, who had recommended that the station should be located about 200 yards south of the post office; that is to say, about 900 feet from where the station would be located on the railway company's siding.

The Chief Commissioner in an oral judgment at the hearing pointed out that some additional information was necessary. The location suggested by the Board's Inspector

for the station would involve location on a fill varying from 3 to 7 feet. Further, at this point there is a grade of $\frac{3}{10}$ of 1 per cent, while where the railway company's siding is located the ground is level.

It had been complained that the siding location was unsatisfactory from the standpoint of drainage. The Chief Commissioner, therefore, directed that the matter should stand over so that the matter might be looked into from the standpoint of drainage and of operation.

The station on the railway company's siding would be located 1,632 feet south from the main road, or a distance of $\frac{3}{10}$ of a mile. The municipality has acquired a strip of land 66 feet wide for the construction of a road from the main road to the property of the railway company. A bridge has been constructed across Irish Creek by the municipality.

It was stated in evidence that the land for the road had not yet been surveyed, and that the Municipal Board had not yet taken the road over. The municipality, however, had spent public money on it in connection with the construction of the bridge; and it was stated by Mr. Goldman, who appeared for the petitioners, that the road would have to be continued in any case, as it was a necessity for the people living south of the creek.

The Board's engineer reports that there has been a ditch constructed along the west side of the track for the full length of the siding, into Irish creek. He reports that an additional ditch on the east side is necessary in order properly to take care of the drainage. As has been seen, provision has been made for a road by the municipality giving access to the company's property. The railway company states that it is prepared to keep in proper shape the road on its own property continuing from the municipal road aforesaid and affording access to the railway company's facilities. This obligation is on the railway company under any circumstances.

The difference in distance as between the location favoured by the applicants and that desired by the railway company is not great. As has been indicated, from the main road to the point favoured by the railway company for the station is less than one-third of a mile. If the station were located within 600 feet of the main road, as has been suggested, this would mean a saving in distance of about one-fifth of a mile.

There is an advantage from an operating standpoint in having the siding located on level ground. If there were a re-location of the siding, it would involve having double track construction over the creek and a running-board constructed across. Under normal circumstances, having such an opening across the station grounds would be unsatisfactory and have certain elements of danger attached to it.

Under the circumstances, the Board would not be justified in giving a direction which would involve the re-arrangement of the yard facilities which have been in existence for several years. The railway company has chosen the existing yard site as being the most satisfactory from an operating standpoint. Where a location for a yard can be obtained on the level, it is most satisfactory from an operating standpoint. The full burden of keeping the ground in question in satisfactory condition, from the standpoint of drainage, and of properly maintaining the roadway on its own property so as to afford success to its facilities is on the railway company.

Chief Commissioner Drayton concurred.

APPLICATION L. H. CONGREAVE, OF SICAMOUS, B.C., FOR AN ORDER DIRECTING THE CANADIAN PACIFIC RAILWAY COMPANY TO DESIGNATE A SUITABLE PLACE ON THE PLATFORM FOR THE PURPOSE OF RECEIVING GUESTS FOR HIS HOTEL.

Judgment, Mr. Commissioner McLean, Oct. 8, 1915:

Application is made by the proprietor of the Bellevue Hotel, located at Sicamous, B.C. Applicant complains that he desires to meet the Canadian Pacific trains so as to look after passengers who may desire to stay at his hotel. He is allocated a place

at the east end of the station platform, which is satisfactory in the case of trains going west. He wants, also, a place at the west end of the platform, so as to look after the traffic on trains going east.

The parties have been unable to agree, and the Board is asked to give a direction in the matter.

As was pointed out in *Twin City Transfer Co. v. Canadian Pacific Railway Company*, 15 C.R.C., 323, the obligations of the railway company are to the passengers, not to a transfer company. The railway company is under no direct obligation to cab-drivers. Its duties as a railway company commence and end with those arising out of and incidental to the carriage of traffic. (Ibid. pp. 327, 328). This position was followed in complaint of *Twin City Transfer Co. re allotment of space as a bus-stand by the Canadian Pacific Railway Co.*, File 20922. Here it was stated that, subject to its obligations to its passengers, the railway company may make arrangements as to the proper policing of its station premises.

The Board has also gone into the question of the control which a railway company may exercise over its station facilities in connection with the use of a freight shed as a market for sale of fruit—*Cuneo Fruit & Importing Co., Ltd., of Toronto, Ont., vs. Grand Trunk Railway Company*, File 25682. There the Board held that the statutory duties of the railway company to furnish facilities related, in so far as a terminal station was concerned, merely to the unloading and delivering of the goods, and did not include facilities for their sale—the real question at issue. So, although there was a difference in treatment as between the applicant company and others in respect of the allotment of space for sale of goods in the shed in question, this difference in treatment was not a discrimination within the Railway Act, since the railway company was under no statutory obligation to furnish facilities for sale.

In the present application, the railway company's obligation is to the passenger or passengers making use of its facilities. It would be contrary to the Railway Act for the railway company to discriminate between passengers so using its facilities, such discrimination being in respect of the use of such facilities. But here the obligation ends. No allegation by a passenger that such discrimination exists has been presented to the Board. The direction requested, therefore, cannot be given, and the case must be dismissed.

Chief Commissioner Drayton concurred.

MR. N. K. LUXTON, ON BEHALF OF LIVERY AND HOTEL BUSMEN AT BANFF, ALTA., REQUESTS A HEARING OF THE BOARD TO DEAL WITH THE MATTER OF STATION PLATFORM PRIVILEGES AT THAT POINT, ON THE LINE OF THE CANADIAN PACIFIC RAILWAY COMPANY.

Judgment, Mr. Commissioner McLean, October 13th, 1915:

Complaint was made as to the facilities given at the platform to hotel buses other than those serving the Canadian Pacific hotel. The matter has been investigated. The platform facilities have been extended, with the result that the situation is greatly improved. Persons engaged in transfer or livery service, other than those serving the hotels, occupy a stand some distance from the platform and come to the station platform when signalled by an intending fare. Any driver who has been engaged by letter or telegram to meet a passenger will, on presenting such notification to the station agent prior to the arrival of the train, be permitted to come to the platform and stand there to receive his passenger or passengers. But as soon as the passenger or passengers are seated, the driver is expected to move on.

There is some complaint as to the allotment of space as between the bus drivers other than those serving the Canadian Pacific, there being some complaint as to the locations given within the space so allotted. In general, so long as the passengers are afforded reasonable and suitable accommodation, the railway company may make arrangements as to the proper policing of its station premises. The allotment of

space falls within such policing arrangements, and it is not for the Board to say what bus shall stand first or second.

Complaint is also made as to the treatment given the Brewster Transfer Company. It is alleged that there is discrimination in favour of this company, which has the contract to carry guests to and from the railway station and the Canadian Pacific Railway Company's hotel. It is alleged that the employees of this company have access to the platform and there solicit business, which privilege has not been afforded to others. Such an arrangement, however, is not contrary to the Railway Act and no redress can be granted.—*Twin City Transfer Co. v. Canadian Pacific Ry. Co., 15 Can. Ry. Cas., 323*

Chief Commissioner Drayton concurred.

MARSH *v.* LAKE ERIE & NORTHERN RAILWAY COMPANY *re* FARM CROSSING.

Judgment, Chief Commissioner DRAYTON, October 18, 1916:

The applicant claims that the Lake Erie and Northern Railway Company in constructing their line across his farm have cut off access from his pasture lands to the spring or watering place.

In answer to the application the railway company files certified copy of the option obtained from the original owner, Thomas Bowlby. The company under this option obtained its right of way, amounting to about one and one-half acres, across the farm, and paid the owner $447.27. The option shows that the consideration was made up of $149.09 for land values, and $298.18 for damages. The option is dated the 15th day of January, 1913. The company further states that under the arrangement with Mr. Bowlby he was to get a farm crossing, and this crossing has been supplied.

On communicating with the applicant, Sydney Marsh, he advises that at the time he bought the farm from Thomas Bowlby the railway fences were up and a small grade constructed. He also states that the date of his deed was June 1, 1914.

An engineer of the Board who was sent to make an inspection reports that the farm was originally owned and right of way purchased from Thomas Bowlby, and that the applicant subsequently acquired the property. On going into the question with the applicant on the ground the engineer reports that what is desired is an under-pass at a point near the farm lane, for the use of cattle, from the pasture land on the south side of the track to a watering place near the buildings on the north side of the track, about 1,200 feet away, and that if the under-pass cannot be granted, the company should provide water either by well on the south side of the track, or carried by pipe line from the north to the south side.

The engineer reports that the fill crossing the farm is about three feet in height, and as at least eight and one-half feet is required for an under-pass it would of course mean considerable excavating. He also states that the land is clay without drainage, and that there is a good farm crossing at the farm lane convenient for all purposes.

The applicant acquired the land as it is to-day and the railway has paid damages to his precedecessors, which may or may not have been adequate, but which at any rate were not attacked, and cannot be by a subsequent purchaser.

A cattle pass as applied for would cost in the neighbourhood of $1,000. The application must be refused.

Assistant Chief Commissioner Scott concurred.

REQUEST OF THE KOOTENAY SHINGLE COMPANY, LIMITED, OF SALMO, B.C., FOR A RULING OF THE BOARD WITH REFERENCE TO CLAIM AGAINST THE GREAT NORTHERN RAILWAY COMPANY, ON SHIPMENT OF SHINGLES, ON WHICH CAR OF SIZE ORDERED WAS NOT SUPPLIED BY THE RAILWAY COMPANY.

Judgment, Mr. Commissioner MCLEAN, October 19, 1915:

Complaint is made that when a 35-foot car was applied for a 40-foot car was supplied with the result that instead of a 24,000 pound minimum applying, a 30,000 pound

minimum was charged. It was alleged that the railway company supplied the larger car for its own convenience; and it is complained that the result of this was an overcharge.

Applicants appear to be in error as to the car supplied. The Bill of lading shows that it was Canadian Pacific Railway car No. 205,968. This car is 36 feet 6 inches in length, *i.e.*, 36 feet inside measurement, and has a minimum of 28,000 pounds.

The railway company has no 35-foot cars. The car supplied was the nearest available to the length asked for. Had the railway company carried on its equipment register the type of car asked for, and had it for its own convenience furnished a larger car, then the minimum of the car asked for should have applied.

But owing to the applicant asking for a car of a type not carried on the equipment register of the company, and owing to his apparently not having furnished information as to the load involved, the railway company had no information as to whether a smaller car, if obtained, would do. The railway company did the best it could under the circumstances. The railway company is willing to settle on the basis of a minimum of 28,000 pounds, which is the minimum for the car supplied. This is the proper basis for adjustment.

Chief Commissioned Drayton concurred.

TOWN OF ST. LAMBERT *v.* MONTREAL AND SOUTHERN COUNTIES RAILWAY COMPANY *re* RAILS ON STREETS.

Judgment, Chief Commissioner DRAYTON, October 19, 1915:

The Town of St. Lambert makes application for an Order directing the Montreal and Southern Counties Railway Company to level the rails of its lines upon St. Denis, Elm, Victoria, Desaulniers, Bird, Front and Edison streets, in the said Town of St. Lambert; to place its rails and lines upon permanent foundations; and to pave between the tracks and on the sides thereof on the above named streets; and for an Order requiring that the work be done at the cost of the railway company.

The case was set down for hearing at a sittings of the Board held at Montreal on September 28, and judgment was reserved, so as to enable the Engineering Office to take up with the parties interested the work to be done, and report as to the cost and necessity of the work to the Board.

The Engineer has since reported, and states that the Municipality desires to do work on only three of the streets mentioned in the application. His inspection and estimates are confined to these streets. They are Elm, Desaulniers and Bird streets.

Mr. Elliott, who appeared for the Municipality, relied on Sections 5 and 25 of the Act.

So far as Section 5 is concerned, there is no doubt that the provisions of the Railway Act apply to this railway. Section 25 has no application to the case; but it is clear from the context that the Section that Mr. Elliott desired to refer to is the amendment of 1909, which, adding a new section, 26 (*a*), to the Act, conferred on the Board jurisdiction with reference to agreements.

Mr. Elliott's position was that the question was a matter of contract between a municipality and a railway company incorporated by the Dominion Government. Mr. Elliott filed contract of March 2, 1909, between the town of St. Lambert and the Montreal and Southern Counties Railway Company, with by-law of the town attached.

Under this by-law, the municipality granted to the railway company the right, for a period of twenty-one years, of establishing, maintaining, and operating in St. Lambert an electric railway or tramway for the carriage of passengers, freight, and express traffic upon the streets mentioned in the application, with the exception of Bird street. The company's rights on this latter street are hereafter referred to.

Mr. Elliott specially relied upon section 7 of the by-law, which is as follows:—

> "That the party of the second part shall only use in the construction of its railway, within the limits of the town of St. Lambert, rails known as 'T' rails, the said rails to be level with the existing roadbed, and that gravel be placed and maintained in good order, by the company, between the rails and two feet on either side thereof."

Other sections relating to the company's duties with reference to highway use, including section 3, under which it is obligated to remove snow from all the streets occupied by its roadbed to the width of 16 feet, to the satisfaction of the municipality; section 4, which reads as follows:—

> "That the party of the first part reserve the right to open any of the streets thus occupied by the said party of the second part, for the purpose of laying and repairing water and drain pipes, or for any other corporation works, at any time, on giving due notice to the party of the second part, but without indemnity for damages in connection therewith, except where such damage is caused by the wilful act, neglect, or default of the party of the first part, its agents or employees. The officers and employees of the party of the first part shall exercise all due and reasonable care in the execution of the said works."

Under section 8, the rails, poles, and necessary switches are to be placed on the various streets under the direction of the municipality.

So far as construction on the greater part of Bird street is concerned, the company obtained its rights before Bird street was taken over as a public highway by the municipality.

Mr. Elliott filed (Exhibit No. 5) a notarial deed dated August 17, 1909, from the Barsalou Estate and others to the railway company, under which, for all time to come, the right, privilege, and easement of laying, constructing, maintaining, and operating an electric railway along the proposed continuation of Bird street in St. Lambert was granted to the company. The deed provided that the railway company should only use in the construction of its railway, within the limits authorized, rails known as "T" rails, such rails to be level with the roadbed, and gravel to be placed and maintained in good order by the company between the rails and for two feet on either side thereof. The instrument also provided that, in the event of the town of St. Lambert, or any other municipality, at any time thereafter, taking over and assuming the streets mentioned, or any of them, on which the company's rails were laid, or were intended to be laid, that the public use of the highways should be subject at all times to the right, privilege, and easement of laying, constructing, maintaining, and operating the railway.

Under a similar deed the railway company obtained right of way to another portion of Bird street; and, in 1913, it appears by exhibits filed by Mr. Elliott, that Bird street was acquired by the Municipality, subject to the rights of the Montreal and Southern Counties Railway Company. As a term of the acquisition of the street, the same was to be improved, concrete pavements, cement sidewalks, water, and drainage were to be supplied.

The company has constructed, and is now maintaining and operating its railway on the streets in question. A proper plan and profile were filed with the Board by the railway company in 1909. That part of the profile dealing with construction in St. Lambert and on all the streets in question has on it the following memorandum:

> "Profile showing established grades throughout St. Lambert."..... .

and this memorandum is signed by the Mayor.

No evidence whatever was given, nor indeed was any complaint made that the railway's construction, in so far as grades were concerned, did not conform to the By-law and contract, or that the construction had not been made under the direction of the municipality, as provided by section 8 of the by-law. On the contrary, the endorsation on the profile would seem to show that the municipality was satisfied with the grade.

At the hearing, Mr. Elliott stated his case as follows:—

> "In this particular case, Mr. Chairman, the Town of St. Lambert moved for an Order against the railway company asking them to level the tracks on several streets in the Town of St. Lambert, to lay the tracks upon permanent foundations, and also to pave between the rails and on the sides thereof as provided for in the contract entered into between the parties in 1909."
>
> "When the contract was entered into, Mr. Chairman, in 1909, the Town of St. Lambert was very small indeed, some 2,000 inhabitants, and very sparsely built. Since that time it has grown and has now a population of 6,000, and it is proceeding to carry out permanent works. The streets which were formerly farm lands have now taken a developed shape. The Town authorities are proceeding to lay drains and pavements, and it is for an Order to have the railway company level their rails, place them upon permanent foundations, and pave between the tracks, that we now apply." . . . . . .
>
> "In 1909, when those works were laid by the railway company there might have been some excuse for laying the rails in the form they did, but with the streets taken over and laid out as they are it is utterly impossible for the Town to proceed because the rails on the streets to-day are 6 inches below the level of the street, from a foot to 6 inches. . . . "

Mr. Chisholm appeared for the Grand Trunk; and, in the absence of a written answer, the company's position was fully covered by his statements at the hearing, as follows:—

> "There has been no complaint up to the present that we have not filled in properly with gravel, and we have been running heavy cars there for six years. These rails were laid at the time in accordance with profiles submitted to and approved by the Town authorities. The whole trouble at present is, as you can see from my learned friend's remarks in the notice of motion, that they are desirous now of putting in new permanent roadways, bitulithic roadways, with concrete foundations, and they want this company to do the same sort of work between their rails and for a certain distance outside. Now if the proposition had come to us in this position, that some time might be given us as to an ordinary ratepayer to pay for something of that kind, we would have been able to consider it, but they want us to expend a lump sum, a large amount, in putting in these improvements which we say we are not bound to make. All our obligation has been performed. There was no complaint about gravel before. The section has been fulfilled. The rails were laid according to the level of the existing roadway, and there is nothing in this agreement showing that we have infringed it in any respect."

In my opinion, the By-law and contract cannot be read as obligating the railway company to construct a permanent foundation of any character or to do more than to complete its works under the direction of the Municipality, using "T" rails, and laying them at the level of the existing roadbed, whatever that might be, and having, in the first instance placed, maintaining in good order, gravel between the rails and for two feet on either side thereof.

In so far as the permanent pavement and foundation, however, are concerned, the application must be dismissed.

The situation, however, is not entirely similar so far as railway levels are concerned.

The municipality has proceeded with its highway work, and on either side of the railway has cut out roads at level entirely different to the railway level, generally speaking lower, and in some instances as much as two feet below the railway construction. While apparently the municipal work has proceeded without any assurance that the railway grade would be changed, so as to meet the present municipal desire, nevertheless the work has been done, and it would cost a good deal more to bring the highway level up to the railway level than it would to reduce the railway level to the level of the highways.

Beyond all question, public convenience, and perhaps safety, demand that the levels should be the same.

As a matter of contract, the railway company is not under any obligation to change its levels; but, apart from the contract altogether, and under the general powers of the Board under the Railway Act, I am of the opinion that an order should go directing that the railway's grade should be changed to conform to the new street line.

In view of the contract and the evidence as to the railway's construction, the cost must be on the municipality.

While the municipality is not entitled to an order directing the railway company to construct a permanent roadway between its rails and for a distance of two feet on either side thereof, if the municipality desires that the streets should be constructed in such a manner that the railway right of way would be surfaced in the same way and have the same foundation as the adjacent highway, I am again of the opinion that, the municipality must be authorized to do the work. If the municipality does this, it is relieving the railway company of the obligation of maintaining gravel between the rails and for two feet on either side; and the railway company should, therefore, contribute such a portion of the cost as will fairly represent its present liability in this regard. If the parties do not agree as to what this sum should be, the amount of the contribution will be settled by the Board.

While the cost of the actual work of lowering the railway to the new municipal grade, or paving between the rails and the two feet on each side, with the exception of the above contribution, will be borne by the municipality, and although the Board's order is made apart from the contract, I am of the opinion that any incidental damages resulting to the company should not be considered as part of the cost or as a municipal liability unless, in the language of section 8 of the by-law, such damages are caused by the wilful act, neglect, or default of the municipality, its agents or employees.

Deputy Chief Commissioner Nantel and Mr. Commissioner McLean concurred.

THE JOHN DEERE PLOW CO. *v.* RAILWAY COMPANIES *re* PORTABLE GRAIN ELEVATORS.

Judgment, Chief Commissioner DRAYTON, October 28, 1915:

The John Deere Plow Company, Limited, complains that the railway companies in the Western Provinces do not permit the use of their properties by portable grain elevators. It appears from the complaint that the Canadian Northern Railway Company has no objection to a farmer using one of these portable elevators for the loading of his own grain; and that a similar position is taken by the Canadian Pacific Railway Company.

The complaint points out that some of the machines have been sold to grain brokers, and also to individual parties who use the machines in loading grain grown in a certain district, but which grain is not grown by them, they merely using the elevator in the loading of grain for the people.

The complaint also points out that while line elevator companies charge from $10 to $13 for the loading of a car, the charge when the work is done by a portable elevator is but $5, and it is claimed that the railway companies' action constitutes a discrimination.

This complaint has been served on the railway companies. The answer of the Grand Trunk Pacific Railway Company is as follows:—

> "There is no objection to a farmer using portable elevator for the loading *of his own grain* into cars at stations on this company's lines, except by reason of the danger as outlined below.
>
> "As to the use of portable elevators in a purely commercial way by someone not handling his own grain; such action would, in my opinion, be contrary to the Canada Grain Act, and would interfere with regular elevators established and operating pursuant to the said Act.
>
> "In addition to this, the use of portable elevators would entail upon the railway companies quite a large risk from fire, due to the use of gasolene or similar fuel. Parties operating such machines (to whom the company is under no obligation whatever as consignor or consignee), even if financially able to indemnify the company against possible losses, would in all probability be unwilling to do so.
>
> "The further objection to the use of portable elevators by any one is the violent irregular explosions of their engines, which are liable to frighten teams of the company's patrons, who have business on the station reservation. The licensing of portable elevators or consent to their operation on the right of way would in all probability make the company liable for damages due to teams running away, etc.
>
> "In accordance with the provisions of the Railway Act and the Canada Grain Act, the company provides adequate and suitable accommodation for the receiving and loading of all traffic for carriage upon the railway. A portable elevator is not, within the meaning of the Act, such an accommodation."

The answer of the Canadian Northern Railway Company is as follows:—

> "In reply to your letter of the 2nd instant, I find that this subject has been given considerable thought by all railway companies in the West, and instructions have been issued by our company—which I understand are similar to the instructions given by other companies, that we will grant permission to farmers or combinations of farmers owning portable elevators, to operate same on our property for the loading of their own grain, but will not allow people engaged in grain business to use them unless it be at a point where there is no elevator or grain warehouse.
>
> "Our Winnipeg office has also discussed the matter with the Board of Grain Commissioners, and while the Grain Commissioners would not commit themselves definitely on this question, I am advised that they were of opinion that we should only allow portable grain elevators to be used at points where there were no standard elevators or warehouses, and also that farmers should be allowed to use them at any point for loading their own grain.
>
> "Our officials are of opinion that the general use of portable elevators on station grounds would undoubtedly result in line elevator companies curtailing the building of elevators and they point out that if the interior storage were not periodically increased, that the result would be very serious and the railroad companies might be called upon to expend a large amount of capital for additional equipment, that would not be of any service, except during the grain season.

"Our general manager advises that a very large amount of money has been expended in elevators located on our station grounds west of Winnipeg; that these elevators are operated under Government supervision: and that it has been the policy of all railways to encourage the building of these elevators because they consider it to be for the general good of the country.

"We submit that the regulations as issued by this company are reasonable, and in view of the fact that it is desirable to encourage the building of permanent elevators rather than to discourage them, that the Board should not interfere with the instructions given in this matter."

The answer of the Canadian Pacific Railway Company is as follows:—

"I am advised by our western officials that they, in company with the officials of other railway companies, have given the matter of the use of these loaders a great deal of consideration.

"They state that they are anxious to facilitate the loading of cars in every possible way, but that the elevator companies, who have gone to large expense to provide facilitites at various points for the handling of the grain traffic, are entitled to some consideration.

"These companies operate elevators under Government supervision on sites rented from the railway companies, and the facilities thus afforded are, where they exist, the most suitable and satisfactory for handling the grain traffic.

"If the Board were to take action as sought by the present complaint, and the use of portable grain elevators were to be adopted generally it would, in all probability, affect the business of the line elevator companies to such an extent that they would be obliged to cease the erection and operation of permanent elevators, with the result that the interior storage accommodation would diminish, and either the farmers would be compelled to erect granaries, or the railway companies would be compelled to serve the entire grain crop direct from the threshing machines to the lake front.

"Under these circumstances, while the railway companies may not object to the use of these portable loaders where no permanent elevator accommodation exists, I submit that this is a question which should be left, in the first instance, entirely to the responsible officials of these companies to decide, and that the only cases in which the Board would have jurisdiction to deal with the matter are those in which, after investigation, it might find that adequate facilities for loading were not provided. In other words, each case must be dealt with on its merits and the Board cannot, it is submitted, come to a fair conclusion as to the merits of all the cases arising on any general complaint such as that which is now before it.

"Under these circumstances I submit that no further action should be taken on this complaint at the present time."

Besides the complaint of the John Deere Plow Company, Limited, complaints have been received from other sources to the like effect.

The grain traffic, under the provisions of the Canada Grain Act is placed in the hands of the Grain Commissioners. The general scheme of the Grain Act is the establishment of a tribunal, with full power over the grain traffic. The Grain Commissioners' powers under it are broad; under section 119, subsection (d), the supervision of the handling and storage of grain in and out of elevators, warehouses, *and cars* is thrown directly on the Grain Commission, which is also given a general and complete jurisdiction over grain elevators,—terminal, public, hospital, and country.

The necessary facility for loading cars with grain, apart from the use of the regular elevator, is the loading platform. Although, in a sense, this loading platform is but a railway facility, nevertheless the location dimensions, and construction of

loading platforms are placed within the jurisdiction of the Grain Commissioners, and the use of these platforms in times of congestion is also subject to the jurisdiction of the Grain Commission, in addition to its admitted jurisdiction as to the supply of cars and the car order books.

I am of the opinion that the object of the Act is to place the grain traffic, as a whole, in the hands of the Grain Commission. The question as to the effect of these portable elevators on a general grain business, and on the construction of additional storage capacity, etc., are questions to be considered by, and I think are within the jurisdiction of the Grain Commissioners, rather than matters to be considered by this Board.

Grain is both loaded and unloaded by the shipper; the railway company, as such, has nothing to do with the operation either in or out of the car, except that its premises must be so arranged as to render these operations convenient. So far as the Railway Act is concerned, no duty seems to be thrown on the company one way or the other, the enforcement of which by the Board would result in the use of these portable elevators; except perhaps in the absence of other loading facilities.

I might further point out that, under The Grain Act, where elevators should be constructed and the railway company does not supply a site, it is the Board of Grain Commissioners that decides the question, and not the Railway Board. The portable elevator is not, of course, the same as the ordinary elevator in that it does not supply storage, but it performs the function of the regular elevator in so far as the loading of cars is concerned. As the site for the regulator elevator has already been put in the hands of the Grain Commission, it would again appear proper that that Commission should also consider the question of space which the use of the portable elevator entails. This really is the only question here involved. The application is not that the railway company should supply portable elevators as part of its facilities, but is, in fact, an application to compel the railway company to allow its property to be used by portable elevators operated, not by the shippers themselves, but by third parties for gain. While the use of portable elevators may be of advantage, the advent of a new interest in handling grain may be of questionable benefit. The elevators could probably be handled cheaper by the farmers co-operatively, or by the railway company, than by a new agency. Beyond all doubt the work of loading grain into the cars comes directly under the supervision of the Grain Commissioners, who probably would desire at least to fix a tariff for portable elevator services, if the operation of portable elevators by outside parties is to become a recognized practice in loading our wheat crop.

I am of the opinion that no Order can be issued on the complaint. Unless the real questions raised are settled by the Grain Commissioners, the grain traffic is subject to the disability of, in part, a divided jurisdiction exercised by two independent tribunals. While the question is one for the Grain Commission, I am nevertheless of the opinion that, in view of the fact that portable elevators, as such, are not dealt with by the Grain Act, and the jurisdiction of the Grain Commission may be questioned, the Board should, upon the request of the Grain Commission, issue any supplemental Orders that may be necessary to give effect to the findings of the Grain Board.

Assistant Chief Commissioner Scott and Commissioners McLean and Goodeve concurred.

COMPLAINT OF MR. A. H. MAYLAND, CALGARY, ALTA., AGAINST EXTRA FREIGHT CHARGED BY THE CANADIAN PACIFIC RAILWAY COMPANY ON SHIPMENT OF HOGS TO MESSRS. GORDON, IRONSIDES AND FARES, OF MOOSEJAW, SASK., THE SHIPMENTS IN QUESTION HAVING BEEN THROUGH BILLED WITH ALLOWANCE MADE FOR DIVERSION CHARGE.

Judgment, Mr. Commissioner McLEAN, October 29, 1915:

Complaint is made by Mr. A. H. Mayland, commission merchant and forwarding agent at Calgary, in regard to certain alleged excess freight charges collected by the

Canadian Pacific Railway Company. As set out by him, the facts in connection with the matter are as follows:

The applicant sold to one O. A. James three cars of hogs, which cars of hogs were subsequently shipped by James to Gordon, Ironsides and Fares at Moosejaw. Of these cars, one each was shipped from Vulcan, Okotoks and High River respectively. The applicant's arrangement with James was that he was to allow him the difference in the through rate from point of shipment to Moosejaw, and the local rate from Calgary to Moosejaw. In addition to this, the applicant was to become responsible for the diversion charge. It is complained that on the arrival of the cars at Moosejaw, the Canadian Pacific Railway Company's agent charged the local freight from the point of shipment to Calgary and the local freight from Calgary to Moosejaw. Gordon, Ironsides and Fares, to whom the hogs were consigned, paid this freight under protest so as to get delivery of the hogs. They then claimed against James for the amount in dispute, viz., $26.35, who in turn claimed against the applicant.

The matter has been developed in correspondence and in hearing.

The railway company states that the shipment from Vulcan was consigned to the applicant at Calgary, and that the car contained 65 hogs. There was loaded out and consigned to Gordon, Ironsides and Fares another car containing 97 hogs. The shipment from Okotoks was consigned to the applicant at Calgary. The car contained 57 hogs. Subsequently 92 hogs were shipped out in another car to Gordon, Ironsides and Fares. In the case of the shipment from High River, the shipment was consigned to Gordon, Ironsides and Fares at Moosejaw. The car contained 50 hogs. This car was unloaded at Calgary for feeding and the original load was completed with 50 additional hogs, with the charge for stop-off and completion of $3, as provided by tariff. The railway company states that as the car was originally billed to Moosejaw, there was no diversion in transit and no change of ownership.

In regard to the shipment from High River, the applicant refers, in his statement submitted, to car 269,328, while the railway company refers to car 270,660. The railway company says there was a charge for completion of load in transit; the applicant says that the charge was for diversion.

The particular facts are of importance only as bearing on the applicant's rights under the tariffs, as the whole matter is concerned with the construction of the tariffs.

What is involved is the question as to whether the cars concerned had the right to move on the through rate to Moosejaw, plus certain additional charges. The applicant draws attention to the fact that if the agent of the railway company at Calgary is notified before the shipment of livestock arrives there he may permit the billing to be extended after the stock arrives, on the payment of $3 per car. Subject to this diversion charge the shipment may move on the through rate.

The applicant has the right to stop the hogs at Calgary for feeding and watering. To do this the hogs have to be unloaded from the car; no charge is made for this. There is a provision for completion of load in transit, and a $3 charge per car is made for this. On the applicant's submission, he did not pay the completion of load charge; but, as shown, he did ship out a larger number of hogs than he shipped in. That is to say, without paying the tariff charge provided he completed the load. Just how it happened that the hogs were shipped in one car and shipped out in another does not appear. If the shipment were made as completion of the load, it would, unless arrangements to the contrary were made by the railway company, move out in the car in which the shipment inbound moved.

The applicant does not refer to the completion of the load charge but to the diversion charge, which charge he states he paid. The charge for diversion in transit is $3 per car. In addition, there is charged the difference between the rate billed and the rate from shipping point to ultimate destination. Further, in case a car is forwarded to a destination out of the direct run, there is an additional charge of one

cent per ton per mile with a minimum movement of twenty miles. Here, again, it may be noted that, unless special arrangements are otherwise made by the railway company, the diversion charge applies in the case of the car in which the shipment is at the time when the diversion is applied for.

The fact that a $3 diversion charge was paid gave no right, without an additional payment, to have the completion of the load in transit arrangement. Equally a payment for completion of load in transit does not cover diversion.

As has been indicated, there is a dispute as to the nature of the movement in the case of the High River car. But taking the movement as covered by the applicant's submission, the situation is that in the case of the movements from High River and Okotoks the payment of a diversion charge did not cover the completion of the load in transit. In the case of the shipment from Vulcan, the movement to Moosejaw would probably be via Kipp and Dunmore Junction, a distance of 416 miles. The car was billed to Calgary and afterwards sold and reconsigned to Moosejaw. This meant a movement by this route of 495 miles, or an addition of 79 miles. Even had proffer of the sum payable for stop to complete load in transit been made, the arrangement would not have been applicable here, as it applies only in the direct line of transit.

The applicant not having complied with the provisions as to completion of load in transit, it does not appear that the rates as charged were contrary to tariff.

Chief Commissioner Drayton concurred.

APPLICATION OF THE CITY OF OTTAWA FOR AN ORDER GRANTING IT PERMISSION TO LAY A WATER PIPE THROUGH THE BROAD STREET STATION YARDS OF THE CANADIAN PACIFIC RAILWAY COMPANY, OTTAWA.

Judgment, Assistant Chief Commissioner SCOTT, Nov. 5, 1915:

The City of Ottawa, in constructing what is known as its overland intake pipe, desires to carry two 51-inch pipes for a distance of about 1,450 feet through the Broad Street Station Yards of the Canadian Pacific Railway Company. The pipes would pass under eleven railway tracks, and be so close to the company's round house that no addition to that building could be constructed without interfering with the pipes.

The city urges its application on two grounds: one, that the location through the railway company's property would be shorter and straighter than any other location; and the other, that the location applied for would cost $27,000 less than the cost of laying a pipe on Bayview road and Wellington street, passing around the property of the railway company.

The railway company objects to the application upon the grounds that the construction of the water mains through its property would be unsafe to the travelling public and would curtail the use of the property by the company by preventing the changing of the location of the existing tracks or the laying of new tracks without great inconvenience. The railway company also says that its roundhouse accommodation is not now sufficient, and that the pipes if constructed as the applicant asks, would prevent an addition being constructed to the round house. The railway company also says that at some future time it desires to build a machine shop on part of the property where the city desires to lay its pipes.

Some years ago the city was authorized by this Board to lay a sewer pipe through the property of the railway company. The sewer pipe was much smaller than the pipes the city now desires to construct, and the excavation necessary for the sewer pipe caused the railway company much less inconvenience than would be caused by the larger excavation, which would be necessary if this application was granted. In connection with the sewer pipe it was shown that a better grade could be got through the

railway company's property than by any other route. The question of grade is not important with the water mains, because the water would be pumped through the pipes at a high pressure.

In preparing its plans and specifications, the city followed the standards adopted by this Board; but, these standards were intended to apply in the case of ordinary water mains which are much smaller than the pipes the city intends laying in this case. Where a 51-inch pipe is to be laid our standards would not apply, as it would be necessary for us to impose special conditions for the protection of such a large pipe passing under a railway track.

In a report made some days before the hearing, our Chief Engineer, after having made an inspection on the ground, accompanied by the engineers for the city and the railway company, stated that he could not recommend the granting of the application.

After hearing the parties the application was reserved to give the Board an opportunity of securing the further advice of its Chief Engineer on several engineering questions. Mr. Mountain has now made the following report:—

> "After the hearing this morning, I was instructed by the Board to get up an estimate of what it would cost to place the pipe at a depth where, in my opinion, any question of vibration by trains passing over it would be done away with; also the cost of concreting it across the Canadian Pacific Railway yard so that tracks might be laid down at any time the railway company desired to do so without having to have new concrete covering put on the pipe.
>
> "After taking the matter into consideration, and considering the nature of the ground, I felt it would be advisable to put the pipe down 10 feet, and this depth including the concrete over the pipe, would amount to $29,700. I may say that the Engineers who appeared for the railway company and the city agree on this estimate. The difficulty is, however, that at this depth we should meet water and in taking care of it would probably make the cost prohibitive, and I doubt very much if it could be un-watered. All the engineers interested agreed on that.
>
> "It was also suggested that we might leave it as it is 4 feet 6 inches below the surface in a tunnel; the tunnel to be of sufficient strength to take care of the tracks without any pressure on the pipe, but this was considered by all parties to be prohibitive in cost. Even with either of these propositions, there would remain the fact that if a building was to be placed on the surface where the proposed pipe was to cross, there would be additional cost in putting up these buildings to make the foundations straddle the pipe; and of course it would be unfair to say that the railway company might not want to put up some building on the ground under which the pipe is proposed to pass."

As it appears that the additional work which our engineer recommends should be done to make the pipe safe if it were laid on the line applied for would cost more than the cheaper method of construction if the pipe line followed the city's property; and, as we are satisfied that it is quite feasible for the city to lay the pipes on its own property, I think the application should be refused.

Deputy Chief Commissioner Nantel and Mr. Commissioner Goodeve concurred.

Mr. Commissioner GOODEVE:

I also concur in the judgment of Commissioner McLean which is supplemental in character.

Judgment, Mr. Commissioner MCLEAN, November 6, 1915:

While it was contended by the railway company that aside from the obligations imposed on its lands by statute, said lands were otherwise in the same position as those of a private landowner, the city, in so far as it dealt with this contention, appeared to assume that a public service corporation was different in all respects from a private landowner.

The city in its application emphasized the engineering economics and lower cost of construction of the route as proposed on the railway lands. On this, there was a joinder of issue between the parties.

While the city emphasized the engineering economics of the route proposed by it, it being alleged that there would be greater friction in the case of the longer route, the progress of the hearing showed that the main objection was the extra cost.

Assuming that economy of construction affords an adequate reason for granting the order sought, does such economy exist?

In connection with the railway company's lands, there are obligations as to public safety. The railway company, as a public service corporation, has also thrown on it the obligation of supplying adequate facilities for the handling and carrying of traffic. The initial discretion as to the method in which its lands will be used to meet such obligation is on the railway company.

The investigation of the Board's Chief Engineer establishes that, both from the standpoint of public safety and from the standpoint of that reasonable utilization of its lands, which its obligation as a public service corporation imposes, additional construction modifying the city's plan as presented would be necessary. The changes necessary would more than counterbalance the assumed savings. On this showing, the order asked for cannot be granted.

Deputy Chief Commissioner Nantel concurred.

CANADIAN PACIFIC RAILWAY COMPANIES APPLICATION FOR AUTHORITY TO MAKE EXTRA CHARGE FOR CARS REMAINING ON HAND AT CARTIER AWAITING FURTHERANCE ORDERS, AFTER THE EXPIRATION OF 72 HOURS FROM TIME OF ARRIVAL.

Judgment, Chief Commissioner DRAYTON, November 4, 1915:

This is an application made by the Canadian Pacific Railway Company for an Order rescinding previous orders and authorizing the company to make an extra charge for cars remaining on hand at Cartier waiting furtherance orders, after the expiration of 72 hours from time of arrival.

The application was heard, in the first instance, at a sitting of the Board held at Montreal, on January 29, 1915. Judgment was reserved; and, further written representations having been made by the parties, the case was listed for further hearing at the request of Mr. Tilston, Manager of the Transportation Department of the Montreal Board of Trade, and the Montreal Corn Exchange Association. The further hearing took place at a sitting of the Board held in Ottawa on September 21, 1915.

The application is opposed by Mr. Tilston and the Montreal Corn Exchange Association.

Those interested in the grain trade, under the arrangements in effect for many years, have a special privilege of consigning cars to Cartier for furtherance orders without any addition to the rate, except the nominal charge of $1 per car for the stop-over privilege, the charge of $3 as for a re-consignment, not being made. The privilege has proved of great value to grain buyers and commission merchants. It enables them to take advantage of market conditions and to order cars before ultimate purchasers are secured. They have from the time the grain is, in the first instance, loaded until the car reaches Cartier within which to make whatever arrangements they desire to make before its final delivery. The privilege is a valuable one, which the Railway Company asserts has been abused.

The stop-over rate of $1 has been directly dealt with by the Board. The rate in the first instance appears to have been 25 cents; the railway company proposed to increase the charge to 1 cent per 100 lbs.; the Board directed the restoration of the 25-cent per car rate; but, on a subsequent application in March, 1910, increased the charge to $1 per day per car.

Although the question of stop-over is frequently mentioned at the hearings, it has nothing to do with the present application, and no consideration can be given to the fact that the railway alleges the charge to be insufficient and below actual cost as a ground for affording more revenue to the carrier under the guise of charges for unnecessary or improper delay.

The whole question is whether or not, on consideration of all the circumstances at Cartier, the proposed increases in car rental should be authorized.

The exhibits filed show that from December 1, 1911, to March 31, 1912, 2,411 cars were held at Cartier for furtherance orders. Out of this total, 15 were held over 72 hours and 165 over 96 hours. From December 1, 1912, to March 31, 1913, 4,029 cars were held for furtherance orders, 12 of which were held over 72 hours and 658 over 96 hours. From December 1, 1913, to March 31, 1914, 8,567 cars were held for furtherance orders, 95 of which were held over 72 hours and 615 over 96 hours. From December 1, 1914, to January 20, 1915, 150 cars were held for furtherance orders, 9 of which were held over 72 hours and 32 over 96 hours.

The company's present proposal leaves untouched the charges on all cars which are despatched within 72 hours. Under this proposal, under the heading "Penalty" is shown the conditions sought to be made for holding cars for the long periods. The result, of course, is the same whether this is called car rental, storage charges, or penalty. The company's proposal works out as follows:—

"PROPOSED STOP-OVER CHARGE AT CARTIER, ONT."

Period.	Stop-over.	Car Rental.	Penalty.	Total.
24 hours	$1 00	....	....	$1 00
48 "	1 00	$1 00	....	2 00
72 "	1 00	2 00	....	3 00
96 "	1 00	3 00	$1 00	5 00
120 "	1 00	4 00	2 00	7 00
144 "	1 00	5 00	4 00	10 00
168 "	1 00	6 00	6 00	13 00

As a result, out of a total of 14,887 cars held for furtherance during the periods above set out, 1,600 cars would have been subjected to the extra per diem rate under the proposed tariff.

The company alleges that on January 1, 1912, 5·90 miles of siding were available in the Cartier yard, and that the present mileage is 6·55 miles; but the company also alleges that, notwithstanding this relatively very large mileage for Cartier Division, owing to the abuse of the stop-over privilege, Cartier yard is congested and traffic impeded.

So far as actual congestion is concerned, the Board's records show that an embargo was placed on grain shipments consigned to Cartier for furtherance orders in the winter of 1913.

The embargo was made effective by the following telegrams issued by the company:—

"January 31, 1913.

"Account accumulation cars of grain on hand Cartier for orders, some of which have been there since January 1, please do not load or accept billing for any cars grain billed to Cartier for orders during seven days, February 1st to 7th inclusive."

"February 6, 1913.

"Please instruct that shipments of grain billed to order Cartier are not to be accepted until after Friday, February 14, account accumulation such cars on hand."

Shipments were accepted on February 14, when the embargo ended.

An embargo, as a matter of course, entails a large hardship and inconvenience to the grain trade.

Complaint was made by Mr. Watts, for the Dominion Millers' Association, at a sitting of the Board held in Toronto on February 7, 1913. At the discussion he pointed out that the great difficulty was that the mills of his Association depended on shipments from the West to keep running, practically, all the mills in Ontario; and that if they were held up by an embargo, it meant that the mills were placed at a great disadvantage. He showed that he had grain ordered out of the elevators in Fort William from the middle of December and the beginning of January not yet shipped; that the December cars were mostly shipped at the time of the hearing; that although he had approximately 200 cars shipped to Cartier, he had never incurred one dollar's demurrage. In other words, furtheranee orders for his grain were either received the day the grain reached Cartier or before its arrival. Mr. Watts complained of the practice of others holding cars at Cartier and thus bringing about the congestion complained of.

At the first hearing, Mr. Watts opposed the application, on the ground that he feared that an increase in the Cartier charges would not be considered as applying to an extraordinary situation, but would be considered as a basis for charge for general application.

Mr. Watts has since written the Board as follows:—

> "With further reference to your letter of August 24th, I took up this question with our Freight Committee and also our Executive Committee, and beg to say on behalf of the Dominion Millers' Association, that in view of the very large crop reaped in the Northwest this year, and as the movement of the grain is considerably later than a year ago, also in view of the probability of the elevators from Fort William east becoming badly congested by the close of navigation, owing to the shortage of vessels, we feel that it is in the interest of the general public that all danger of congestion of the railroad facilities at Cartier should be avoided.
>
> "As Mr. Beatty undertook, on behalf of the Canadian Pacific Railroad, in his letter of August 16th, that the imposing of a penalty will not in any way be regarded as a precedent, or be used as the basis of an argument in connection with the proposed revision of the demurrage rules, which we understand the Board will shortly undertake.
>
> "On the distinct understanding that the question of Reciprocal Demurrage, which we brought to the attention of the Board some time ago, will be taken up and dealt with at an early date by the Board, our Association will not oppose the granting of the request of the Canadian Pacific Railway, as recommended by your Chief Traffic Officer."

In opposing the application, Mr. Tilston pointed out that, what he termed the experimental order of November 30, 1912, temporarily increasing demurrage rates, specifically exempted Cartier from its application. That the only question was as to whether any different charge should be made for detention other than the charges under the Demurrage Rules, which have already been approved, pointing out that whether the delays are at Montreal, Cartier, or any other point, the same penalties apply; that the filed tariffs of the railways providing for stop-overs on all classes of traffic, such as lumber, coal, and fruit, all provide that the detention charges shall be the car service rules, and that the tariffs providing for stop-over at terminals such as Bridgeburg, Toronto, Montreal, specifically read that the detention charge shall be the charge provided by the Canadian Car Service Rules, and that any deviation from this practice would be improper.

Speaking generally, I am of opinion that it is beyond all question that general charges, such as the demurrage charge is, should be similar at all points; but, on the same ground, I would also have thought, apart from some specially controlling circumstances, that stop-over charges should also be the same.

A stop-over charge at Montreal is $3, at Cartier it is but $1; and it was alleged at the hearing in Toronto by Mr. Watts that cars were unduly held at Cartier owing to the fact that in view of the lower stop-over charge at that point it was economy to do so.

Under the present tariffs, the cost of stopping a car of grain for furtherance at the Canadian Pacific yards at Outremont, Montreal, and Cartier, compare as follows:—

	Outremont.	Cartier.
24 hours	$3 00	$1 00
48 "	4 00	2 00
72 "	5 00	3 00
96 "	6 00	4 00

The lower cost is, of course, brought about by the fact that, the car rental charges being the same in each instance, the initial cost of the stop-over is $2 more at Outremont than it is at Cartier. Congestion at Cartier is, however, more injurious to the business interests of the country than at Outremont, as the railway has the right to load into the elevators or warehouses the contents of cars unduly delayed. There are no such elevators or warehouses in Cartier, and it would be a matter of unnecessary expense to erect them simply for the purpose of accommodating stop-over traffic, with the result that the only remedy that can be supplied, in case the trade holds cars an undue length of time at Cartier is the embargo.

Mr. Miller, of the Montreal Corn Exchange, opposes the application, and resents the suggestion that he holds cars at Cartier an undue length of time for the purpose of speculation, but that he holds them rather as the result of traffic conditions. His idea was that the average length that he held cars at that point was five days. Under the company's proposal, the total charge for cars held at Cartier five days would be $7, which would be the present charge for five days' stop-over at Outremont.

Mr. Bashaw (of Joseph Ward & Co.), who also appeared in opposing the application, stated that on the average his detentions would not be greater than five days. Mr. Bashaw has subsequently written stating that, in taking out the figures, he finds his average to be three days instead of five. Charges for a three-day detention are not sought to be increased.

Mr. Bashaw took out the statement of cars handled by his company in 1913. The record shows that out of a total of 126 cars, 60 cars passed through in one day; 22 passed through in 2 days; 13 passed through in 3 days; 8 passed through in 4 days; 4 passed through in 5 days; 8 passed through in 6 days; 2 passed through in 7 days; 4 passed through in 8 days; 3 passed through in 11 days; 1 passed through in 15 days; and 1 passed through in 22 days.

Mr. Marshall, who appeared for the Grain Section of the Toronto Board of Trade, stated that his section had no objection to the detention charge, as proposed by the company, being tried out for this year, to see if it would improve matters, on the distinct understanding that the increase should not form any precedent with regard to any adjustment that might take place later on in the Car Service Rules or at any other stop-over point.

The stop-over privilege at Cartier is specially low; and was probably fixed by the Board, in the first instance, having regard to the fact that the company had granted a stop-over free of all costs in order to facilitate the grain business. At any rate, a different treatment has been accorded stop-overs at Cartier than has been accorded at other points.

If conditions require it, therefore, there is no reason why special provisions should not be made, at Cartier in other regards as well. The company does not seek to raise the stop-over charge. Its position is that to do so would be to penalize shippers who are not in any way contributing to the congestion in the yards.

There is no doubt that the stop-over privilege is a great benefit and convenience to the grain trade. I doubt very much if the mere increase of the stop-over in any

event would be as efficacious in preventing congestion as an increase of the character now proposed, penalizing the holding of cars for undue and unnecessary periods as it does.

In my opinion, 72 hours is quite long enough time for any trader to have within which to make up his mind where his grain is to go after it reaches Cartier, and that traders who are not then in that position should not be unwilling to pay something extra for the extra time.

In view of the large grain crop this year and the possibility of further congestion, I am of the opinion that, in the interests of traffic, the proposed tariff should be sustained.

Assistant Chief Commissioner Scott and Commissioners McLean and Goodeve concurred.

COMPLAINT OF THE KELOWNA BOARD OF TRADE AGAINST THE CHARGE OF $2.50 MADE BY THE CANADIAN PACIFIC RAILWAY COMPANY FOR HAULING CARS FROM THE DOCK AT KELOWNA, B.C., TO AND FROM THE VARIOUS WAREHOUSES.

Judgment, Mr. Commissioner McLean, October 13, 1915:

This complaint was heard at Revelstoke at the sittings of the Board in June, 1915. At an earlier date, complaint was brought before the Board, in correspondence, regarding a charge of $1 made for the handling of incoming and outgoing cars at Kelowna. The matter was dealt with in the judgment of the Board delivered on May 15, 1913, in which it was found that the charge of $1 was reasonable.

The matter has stood for the filing of cost figures by the railway company. These figures are now before the Board.

The special charges concerned are to be found in special freight tariffs. Down to August, 1913, the charges were set out in the special tariff covering switching services at stations on the western lines of the Canadian Pacific Railway Company. Since that date, the tariff has been described as special freight tariff covering local switching, interswitching and absorption of switching charges on carload traffic applying from, to or at stations on the Canadian Pacific and Esquimalt and Nanaimo Railway, as specified in the tariff.

In addition to the charge as set out in the special tariff, reference must be made to the ordinary tariffs of the company for the rate to or from the point in question.

The charge as provided for in the Canadian Pacific Railway tariff effective August 17, 1910, Supplement No. 5 to C.R.C. No. W-1401, reads as follows:—

> *Dockage at Kelowna, B.C.*—"Carload freight originating at or destined to team tracks or private sidings at Kelowna handled by car barge service, $1 per car, dockage in addition to rates from or to Kelowna."

In the history of this rate, which was submitted by the railway company, it was stated that it was put in as the result of an agreement in 1910 with the Kelowna Farmers' Exchange. Freight is handled from Okanagan Landing to Kelowna by boat, and the practice has grown up of handling freight between these points on cars on car barges. The cars were placed on the dock and then had to be moved to various sidings in the town. The railway company had not, prior to this date, performed any service beyond the placing of the cars upon the dock.

The applicants prefer to have this service performed by the railway company, as they say that in this way a unified control of the movement is obtained.

In the town, there are various sidings owned by individuals engaged in business. The average delivery haul to a siding is about 700 feet. The siding furthest from the dock is located about 1,100 feet therefrom. The consignees had been in the habit of having these cars hauled by team to their sidings at a cost which was stated to have

run about $3 per car. Under the agreement referred to, the railway company undertook to perform this service for $1 per car.

The railway company admitted that the Board had jurisdiction to deal with this, as being a toll charged in lieu of cartage at Kelowna.

By Canadian Pacific Railway tariff, Supplement 10 to C.R.C. No. W-1401, effective October 13, 1910, Summerland was included under the dockage charge as above stated.

In Canadian Pacific Railway tariff C.R.C. No. W-1581, effective July 5, 1911, the term "extra terminal switching" appears, and this is defined as being an extra charge in addition to the rate as made for special service to or from sidings. This tariff still carries under the heading of "Dockage charge," the $1 charge at Kelowna or Summerland, but it is defined in a marginal note as being an extra terminal switching.

Canadian Pacific Railway tariff C.R.C. No. W-1699, effective May 14, 1912, carries the same notations and descriptions as to the dockage charge at Kelowna and Summerland, but adds thereto Penticton.

The increased rate complained of was put in by Canadian Pacific Railway tariff C.R.C. No. W-2027, effective April 5, 1915. This continues the definition of "extra terminal switching" as already referred to, but there is a change as to the description of the service at Kelowna. While this is noted in the margin as being an extra terminal service, the charge appears as follows: "Carload freight between car barge and land team tracks or private sidings, $2.50 per car." The word "dockage" no longer appears.

The railway company's plea in justification of the $2.50 rate is that it is necessary to charge this in order to cover the cost of service. At the hearing, it was stated that during 1914, 1,414 cars were handled, from which there was a revenue of $1 per car, and that the work entailed cost the railway company $3,317; that is to say, an average cost of $2.33 per car as against a revenue of $1 per car.

The railway company was asked to submit a detailed statement of the cost of this service. The following statement submitted by the railway company shows the number of cars handled each month from July, 1914, to June, 1915; the cost of landing the cars from the barge, the amount paid to teamster, the total cost and total revenue, and average cost per car and average revenue per car.

Month.	No. Cars.	Cost landing cars from barge.	Paid teamster for switching.	Total cost.	Total revenue.	Cost per car.	Revenue per car.
1914.		$ cts	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
July	86	86 00	228 80	314 80	86 00	3 66	1 00
August	201	201 00	314 40	515 40	201 00	2 56	1 00
September	261	261 00	315 20	576 20	261 00	2 20	1 00
October	301	301 00	294 40	595 40	301 00	1 97	1 00
November	63	63 00	200 00	263 00	63 00	4 17	1 00
December	53	53 00	108 00	161 00	53 00	3 03	1 00
1915.							
January	41	41 00	104 00	145 00	41 00	3 53	1 00
February	41	41 00	96 00	137 00	41 00	3 34	1 00
March	45	45 00	108 00	153 00	45 00	3 40	1 00
April	27	27 00	104 00	131 00	67 50	4 85	2 50
May	24	24 00	104 00	128 00	60 00	5 33	2 50
June	25	25 00	104 00	129 00	62 50	5 16	2 50
Totals	1168	1,168 00	2,080 80	3,248 80	1,282 00		
Average per car.		$1.00	$1.78	$2.78 and $1.09			

Under the $1 dockage charge as provided for in the earlier tariffs, there was a charge for the service performed in moving a car from the dock to the siding, or from the siding to the dock. The wording in respect of the extra terminal service as set out in the existing tariff is significant. It is now concerned with the charge for the movement between the car barge and land team tracks or sidings; that is to say, the railway company holds itself out only as undertaking under the tariff concerned to take the car barge to a point where it will be tied up to the dock, and thereafter there is an additional charge for the movement from this point to the siding.

As is indicated in the tabular summary above referred to, the railway company allocates a charge of $1 as being the cost of landing cars from the barges on the dock. These cars are hauled up to and lowered from the dock by means of a winch.

Just how the car barge service developed has not been set out in evidence. Prior to the use of the car barge service, the railway company would be at the expense of a break bulk movement from the cars at Okanagan Landing to the boat, as well as the cost of handling from the boat at Kelowna to the dock. It is not possible to say definitely whether the car barge service is in ease of the cost which the railway company would otherwise be subjected to in connection with a movement which requires breaking bulk twice. While the railway company now has a switching tariff which covers, as has been indicated, a charge of $2.50 from the car barge to the land team tracks or private siding, it also quotes rates in its tariffs from points of origin to Kelowna. This being so, such tariffs are an open offer that the railway company will, on payment of the proper freight, carry the goods from the point of origin to Kelowna.

In the case of goods carried under such tariffs and billed through to Kelowna, it is not necessary to labour the point that the contract of carriage is not complete when the goods are on the car barge tied up to the dock at Kelowna. The railway company recognized this in its practice when it was charging the rate of $1 per car for dockage. When, at the hearing, discussion took place as to the justification of the $2.50 charge, Mr. Lanigan said that the railway company was willing to land the cars on the dock. Evid., Vol. 233, p. 5078. Further, in the discussion, at p. 5083, the following is to be found:

> The CHIEF COMMISSIONER: You are quite content to go back to loading on the steamers in the old way?
>
> Mr. LANIGAN: Yes, and we are quite content to continue the car barge and let these men handle them to and from their private tracks.
>
> The CHIEF COMMISSIONER: Unless you get the fees you think you are entitled to you will withdraw the whole car barge service?
>
> Mr. LANIGAN: No, we would withdraw the service from and to the dock and revert to the condition when the car barge was first introduced.
>
> Mr. BRENT: Providing that service was discontinued and they ran the car barge down to Kelowna, where would you leave the cars?
>
> Mr. LANIGAN: That is our business.
>
> Mr. BRENT: Then we can switch them for a dollar a car. These cars would have to be placed off the barge and upon the slip.
>
> The CHIEF COMMISSIONER: He could put them on the dock somewhere.

Since the railway company quotes a rate to Kelowna, the service is not performed until the goods handled are placed on the dock at Kelowna, and the cost of landing the cars from the barge is something which is included in the rate.

It is recognized that on the special facts existing at Kelowna, there is an extra service for which a charge may justifiably be made. The railway company is asking simply for a charge which will cover the cost. On the figures for 1914-15 as submitted the railway company gives a payment of $2,080.80 to teamster for switching. At the hearing, the figures submitted by the railway company, already referred to, were subjected to some criticism by the applicants, who stated that in their opinion a sum

of $1,952 would cover the cost to the railway company for this service. The applicants had not the detailed figures of the railway company before them, but the margin of difference is not great. This teaming cost, however, is not concerned with the car-lot freight alone.

It was pointed out at the hearing that the service from the dock to the sidings was one which was open to the merchants at Kelowna to perform, or have performed, for themselves. It was stated, however, by the applicants that they preferred to have the work done by the Canadian Pacific Railway Company, because the railway company would have better control over it and they would have a better service. It was said that if the applicants handled the work with teams, there would be the possibility of friction as to having cars available for delivery at the barge, and that there would be unnecessary reduplication.

It is entirely open to the applicants to perform the service themselves, if they can do so at a rate lower than that charged by the railway company, and if they see fit to perform such service. On what is before the Board, a charge of $1.75 per car for handling such car from the dock to a siding, or from a siding to the dock, is justifiable from a cost basis, and the tariff should be amended accordingly

Chief Commissioner Drayton concurred.

Re GENERAL ORDER NO. 147. CHARGE FOR CLEANING AND DISINFECTING, OR DISINFECTING, CARS IN WHICH LIVE STOCK HAS BEEN CARRIED.

Judgment, Mr. Commissioner McLEAN, November 11, 1915:

As a result of the hearing in Toronto on July 16, 1915, general order No. 147 issued. This provided as follows, in regard to the charges which might be made:—

> "It is ordered that the railway companies subject to the jurisdiction of the Board may charge and collect a toll not exceeding 75 cents for cleansing and (or) disinfecting any car in which live stock has been carried when the said work is done by the railway companies; and that the said toll may lawfully be an addition to the charges, as published in the tariffs of the companies, for transportation of the live stock unloaded from the said cars."

Tariffs which had been filed by the railway companies effective on various dates had provided for a charge of $2.50 per car for "cleaning and disinfecting single deck stock or box cars, and $4 for double stock cars." These tariffs, as, for example, C.P.R. tariff No. E-2652, carried a notation that the tariff was a special local tariff of charges for disinfecting cars used in the transportation of live stock. It went on to say that the charge would be effective "when, on account of federal, provincial, state or municipal regulations, it is necessary for this company to disinfect cars which have been used for the transportation of live stock in carloads . . . . . " These tariffs were suspended.

In the judgment of the Chief Commissioner at the hearing in Toronto, it was stated that the charge was one effective only when under Government regulations it was necessary to disinfect. It was also stated by him that the tariffs which were filed were tariffs which were justified in the large, practically entirely on the basis of the cost of disinfecting the cars. It was also pointed out by him, p. 6391 of the evidence, that cleaning was bound up with disinfecting; he stated that a car could not be disinfected without cleaning.

The general order as issued provided, as above indicated, for a charge for "cleansing and (or) disinfecting." Complaint is made by Mr. Marshall, Traffic Manager of the Board of Trade of Toronto, Ont., that the wording would entitle the railway company to make a charge of 75 cents per car when and wherever it cleaned

a car, and whether it was or was not disinfected. The tariffs as issued by the companies, as a result of the order read as follows:—

"Disinfecting cars used in the transportation of live stock.

"When on account of federal, provincial or municipal regulations it is necessary for this company to disinfect cars which have been used for the transportation of live stock, in carloads, the charge of 75 cents per car will be assessed by this company against the shipment of live stock which were transported in the cars that are required to be disinfected under these regulations."

Subsequently, effective October 15, the C.P.R., G.T.R., and C.N.R. filed schedules reading as follows:—

"When it is necessary for this company to clean and (or) disinfect cars which have been used for the transportation of live stock, a charge of 75 cents per car will be assessed by this company against the shipment of live stock which were transported in the cars that require to be cleaned and (or) disinfected."

Tariffs, effective different dates in November, have been filed as follows:—

"When cars which have been used for the transportation of live stock, in carloads, are cleaned and (or) disinfected by this company, a charge of 75 cents per car will be assessed against the shipments of live stock, which were transported in the cars that are cleaned and (or) disinfected."

It will be noted that the difference between the tariffs effective October 15 and the amending tariffs is that the charge is now made applicable not in the case of cars "that require to be cleaned and (or) disinfected," but in the case of cars "that are cleaned and (or) disinfected."

It appears from various communications on file that there is some misunderstanding as to the scope of the order as embodied in the tariffs, and it appears that some of the railway companies at least are of opinion that the order authorized a charge for cleaning as distinct from disinfecting.

As has been indicated, it was recognized at the hearing that cleaning was something which might be necessary incidental to disinfecting. It was not stated that the charge to be imposed was for cleaning as distinct from disinfecting. The phrase in the order "cleansing and (or) disinfecting" may, perhaps, be somewhat elliptically put; but the meaning appears to be clear. What is intended is that there should be a charge for cleaning and disinfecting, or disinfecting. To prevent any difficulty as to the interpretation of the tariff and charge thereunder, the tariffs should be amended accordingly.

As pointed out, the tariffs filed in pursuance of the order read, in the first place, that the charge was to apply when, on account of federal, provincial or municipal regulations, it was necessary to do the work in question. The tariffs of October 15 and amending tariffs, effective on various dates in November as referred to, do not carry this notation. To make prfectly clear the scope of the tariff and reason of the charge, this notation should be set out in the tariffs, and tariffs properly amended, as above indicated, should be filed.

Chief Commissioner Drayton concurred.

MUNICIPALITY OF CAMERON *v.* NORTHERN PACIFIC RAILWAY CO. *re* WIDTH OF BRIDGE.

Judgment, Chief Commissioner DRAYTON, Nov. 18, 1915:

The grounds of the complaint made by the municipality of Cameron as to the bridge on the public road between Sections 9 and 10, township 6, range 23, w.l., are that the bridge is too narrow and the approaches too steep and crooked, resulting in a positive danger.

The railway company state that the bridge and the approaches were installed by the Northern Pacific Railway Company about eighteen years ago, and that the present complaint is the first one to be made.

An engineer of the Board has inspected the bridge and the approaches. He reports the bridge to be substantial and safe, but that it will have to be renewed in a year or two. He also reports that the north approach is steep.

An order should go directing the company to re-grade this north approach and bring it up to the Board's standard requirements. The work cannot properly be done at this time of the year, but must be done in the spring just as soon as the frost is sufficiently out of the ground.

From the Engineer's report, it appears that the bridge is not quite on the line of the road allowance. It apparently will have to be re-built in two years; and I am of opinion that the bridge should not be interfered with, until the necessity for renewal arises. When the bridge is renewed, it must be made to conform with the standard requirements, and be placed on a line with the road allowance. The width of the present bridge is but sixteen feet, and the highway traffic will reasonably require twenty feet.

Commissioner Goodeve concurred.

COMPLAINT BY THE CITY OF LACHINE, QUE., REGARDING LIGHTING AFFORDED ON ROCKFIELD BRIDGE, LACHINE; AND APPLICATION BY THE GRAND TRUNK RAILWAY COMPANY THAT THE LIGHTING OF SAID BRIDGE SHOULD BE ATTENDED TO AND PAID FOR BY THE MUNICIPALITY.

Judgment, Mr. Commissioner McLean, November 18, 1915:

The portion of the road for which the bridge furnishes a substituted highway formerly was in the rural municipality of the parish of Lachine. It and the bridge are now within the municipal limits of the city of Lachine.

The railway company has, as a temporary arrangement, maintained four kerosene lamps on the bridge. The city has written the railway company complaining of the lighting afforded as being unsatisfactory. The railway company contends that the matter is one which should be looked after by the city.

Before the bridge was constructed, there was on each side of the railway track a kerosene (reflector) lamp. These lamps were maintained by the railway company.

On the crossing as it hitherto existed, the road was straight. In constructing the bridge, it was found necessary in order to get away from a dangerous crossing situation, to provide for a couple of turns in the structure.

A report made by the board's Electrical Engineer states that the bridge would be efficiently lighted by six "nitrogen filled," or some other type of efficient incandescent lamps of about 150 candle-power each. It is estimated that the installation of those lights with wooden posts would cost complete $120; while in the case of iron posts the cost would be $360. A liberal estimate for maintenance would be $168 per annum.

The turns in the bridge create an element of danger which, aside from the general question of street lighting, creates a necessity for lights, and such lights being necessary for safety are a proper charge, both as to installation and maintenance, against the structure. Four lights are necessary for this purpose. So far as safety is concerned, kerosene lights will take care of the situation.

Had there been no bridge, the lighting of the street is a matter the city would have had to assume. The city is of opinion that the bridge should be lighted by electric light. This is a matter of street improvement and distinct from the safety feature already adverted to. The electric lighting is something which falls within the purview of the city. To such a system, if established, the parties other than the city of Lachine should contribute to cost and maintenance amounts not exceeding those they are liable for in respect of the kerosene lamps now necessary at the turns in the bridge. The balance would have to be assumed by the city.

Assistant Chief Commissioner Scott, concurred.

CANADIAN NORTHERN RAILWAY COMPANY *v.* GRAND TRUNK RAILWAY COMPANY *re* SALE OF TICKETS AT STATION.

Judgment, Chief Commissioner DRAYTON, November 13, 1915:

This is an application made by the Canadian Northern Railway Company for an order requiring the Grand Trunk Railway Company to allow the Canadian Northern to have the privilege of having its tickets on sale at the ticket office operated by the Grand Trunk and Canadian Pacific jointly, on the train floor in the Union Station, Toronto.

The Grand Trunk Railway Company opposes the application. In that company's answer it points out that the Canadian Northern have a ticket office on the main floor of the Union Station, and submits that that is all that the Union Station management is required to furnish. The Grand Trunk admits that there is an office on the train floor, jointly maintained by the Grand Trunk and Canadian Pacific Railway companies which is principally used for selling tickets to passengers on through journeys who have not been able to buy through tickets at local stations. The Grand Trunk also states that no doubt the Union Station managers would make an effort to supply similar accommodation to the Canadian Northern, if they really needed it, if their was assurance given of payment for the services rendered. The answer further points out that the Canadian Northern is now indebted to the Grand Trunk for about the sum of $260,000, and that the Canadian Northern owes the Toronto Union Station management $5,090, which constitutes four months' arrears for services in the Union Station.

Unquestionably there are passengers who come off other lines going to places on the Canadian Northern who have only purchased tickets locally to Toronto. Ordinarily speaking, there is no reason why these people should not receive exactly the same facilities as passengers on other roads similarly situated. There is no doubt at all as to the inconvenience of having to leave the train shed and go to the rotunda, in view of the manner in which the present Union Station is laid out. It is also obvious, that in case of a close connection, passengers having to do this may be so delayed as to lose their trains, or leave baggage behind unchecked.

There is also no doubt that, to some extent, the Canadian Northern suffer, as tickets might well be required for competitive points; and, in the absence of the Canadian Northern Railway tickets on sale in the train shed there is not much doubt but that the traveller would buy his ticket on the competitive line rather than go to the ticket office on the main floor.

I have no doubt that the service is one properly required both in case of the public and the interests of the Canadian Northern Railway Company. The best proof that the service is necessary as a convenience is to be found in the fact that the Grand Trunk and Canadian Pacific Railways have, of their own motion, found it necessary to install it for themselves.

I am of the opinion that this office should sell tickets for the Canadian Northern in the same manner as it now sells tickets for the two other railroads, and should exchange Canadian Northern tickets for orders, as is now done for the other lines.

There is no doubt that the Canadian Northern should pay for what it gets. It may well be that the Grand Trunk, on account of the condition of accounts between it and the Canadian Northern, can reasonably object to entering into any joint arrangements or extending any further credit to the Canadian Northern. The cost, however, of this service cannot be great, and the Grand Trunk should give the necessary instructions so that the men now selling tickets for the Canadian Pacific and Grand Trunk in the train shed ticket office will perform like duties for the Canadian Northern. The added cost will be practically nothing.

Nothing has been said by the Grand Trunk on the question of remuneration. Under the circumstances the Canadian Northern will pay one-third of the cost of

operating the office to the extent of the actual salaries and out-of-pocket expenses. In view of the small amount of business of the Canadian Northern, no rental charges are to be included in the expenses that company contributes to.

This apportionment of cost made as it is without full or proper information, is tentative, and if objected to by either party, the question will be listed for hearing and final determination.

Assistant Chief Commissioner Scott concurred.

Mr. Commissioner McLean, November 18, 1915:

The dilatoriness shown by the Canadian Northern in settling its outstanding accounts with the Toronto Union Station management makes me hesitate in agreeing to an arrangement which may enable the railway to owe some more money. At the same time there is a public need which justifies some such arrangement as is recommended and this public need must be considered. But if this need is to be met in the way requested by the Canadian Northern, the continuance of the arrangement should be contingent on prompt adjustment by it of its share of the expense attaching to the arrangement.

Complaint of Herbert Oyler, Kentville, N.S.

Judgment, Mr. Commissioner McLean, November 18, 1915:

By the Board's Orders No. 22578 of September 23, 1914, and No. 23490 of April 9, 1915, the Dominion Atlantic Railway Company was given leave to carry freight traffic, at a limited speed, to Mileage 14·78 on the North Mountain Branch. The railway is not yet regularly opened for traffic, no application to open for traffic having been received.

Complaints have been received in regard to rates on apples and rates on lumber. Messrs. Hicks and Son, of Bridgetown, N.S., complain that because the road is not yet in regular operation the rates charged are excessive. They say that the rate on lumber from Bridgetown to Centreville, a distance of 50 miles, where the branch begins, is 5½ cents, and that the rate from there to Somerset, a distance of 12 miles further on the branch in question, is 4 cents, making a total of 9½ cents; and they complain, further, that a guarantee of 4 cars is required.

The railway company in its answer points out that the line is not yet complete. It further points out that during 1914 it was operated for the carriage of apples. It states that in cases where lumber in carloads has been moved, or other commodities in carloads, the company has used the mileage tariff of the main line and applied it from Centreville to the stations to which the freight is consigned. The local rate on lumber from Centreville to Somerset is 4 cents, which added to the rate from Bridgetown to Centreville of 5½ cents, makes the through rate of 9½ cents per 100 pounds.

In regard to the complaint of Messrs. Hicks and Son that they are required to give a guarantee of 4 cars, the railway company says that if at least four loaded cars are supplied these will be hauled, without additional charge for a special train.

When only one or two cars are furnished, an additional $15 is assessed. The local rate on lumber on the branch from Centreville to Somerset is 4 cents per 100 pounds, which on the minimum of 30,000 pounds would make a charge of $12 per car. Under the arrangement which the company desires to enforce the charge for one car would be $12 plus $15, or $27; for two cars $39, for three cars $51, while for four cars it would be $48. That is to say, on four cars the ordinary freight charges would be imposed.

It is stated that the charge of $15 is about the equivalent of the wages of the train crew, including the engineman, fireman, conductor and brakeman. Under the schedule of wages, on runs of 100 miles or less; either straight away or turn around, the crew

is paid for 100 miles, or a day's work. Under the schedule in force on the Dominion Atlantic railway, this would mean a charge of $14.97 for the service involved.

It is stated by the railway company that the customary minimum charge for a special train movement is $30; but in view of the fact that it would be possible, if no serious delays were encountered, for a train crew to make the return trip within five hours, only one-half the minimum charge is made. This is adopted because it about equals the wages of the train crew.

The tariffs on the Board's files have been checked and the tariff sanction for the special train charge which has been referred to has not been found. The Dominion Atlantic Railway Company's tariff C.R.C. No. 2830, effective January 1, 1909, provides that when a special train is authorized to load on the main track, a charge of $25 will be made for the engine and train crews for a day of ten hours or less, in addition to the regular tariff rates on the commodity loaded; and the minimum trainload will be eight cars. For each additional hour, or part thereof, an additional charge of $5 will be made. The special freight tariffs in question is noted as governing "the loading and unloading of timber, etc., on main line." While thus limited in the descriptive portion of the tariff, in the body of the tariff it is stated that the loading and unloading of "logs, timber or other commodities" on the main line tracks between stations is to be discouraged as much as possible. Presumably, from the use of the word "commodities," this tariff would cover a special train movement of general freight.

The Canadian Pacific Railway Company in its tariff C.R.C. E-3041, effective October 10, 1915, carries a provision for special train service for loading or unloading carload shipments between stations. While the wording differs somewhat from that already referred to as being contained in the Dominion Atlantic Railway Company's tariff, the effect is much the same. Provision is made that when the company's engines and men are used in loading and unloading cars between stations, there is to be a minimum of $25 for part of any one day.

For a charge of $30 for a special train movement, or for the charge of one-half thereof, no tariff sanction appears in the Dominion Railway Company's tariffs. The tariff points out that shipments should be handled at stations or sidings. It indicates clearly that the special train charge applies where the loading or unloading is done on the main line. There is nothing to show in the complaint that loading or unloading on the main line was asked for. In fact, the complaint is as to a movement between Centreville and Somerset, which are both stations.

The railway is not fully opened for traffic. But when it operates under leave to carry traffic, it is under obligation to carry goods between stations and sidings in accordance with the terms of its tariffs. There may be justification for a special train charge where the loading or unloading is done on the main line. There is no such justification where the traffic is delivered to or at stations or sidings.

The requirement that the applicant should give a guarantee, as above set out, when the movement originates at stations or sidings, and is destined to stations or sidings for unloading there, is an unreasonable one. The obligation of the railway company is to furnish such service as the traffic demands, and not to treat it as special train movements.

Complaint is also made by Mr. H. Oyler, of Kentville, N.S., in regard to the rates charged on apples. He states that during 1914 the rates charged were exorbitant. He also refers to the fact that the road has not been opened for traffic, and desires to have this expedited. The Board, however, has no power to compel the opening of a road for traffic.

Subsequent to the filing of the complaints above referred to, the railway company, under date of September 22, 1915, filed a schedule of rates on apples, potatoes and lumber which it proposes to charge. It states that these rates will be applied whether the road is operated as it was last year—that is to say, under leave to carry traffic—

or whether it is formally opened for traffic. Mr. Oyler objects to the rates charged in respect of apple shipments, on the ground that while they are lower than they were during 1914, they are still considered by him to be excessive. More specifically he points out that the rate per barrel on apples from a point on the North Mountain Branch to Halifax is two cents higher than it is for the same distance on the Central Valley branch of the Dominion Atlantic Railway.

What is before the Board at present is the question of the propriety of the proposed rates during the period that the railway company is operating under leave to carry freight traffic. The line is so located that it is very close to the main system of the Dominion Atlantic Railway Company in general, which is not more than four miles away from the railway in question. The traffic available is exceedingly slight.

The Board has recognized in connection with branch line mileage that, under certain conditions, rates to or from a point on a branch line may be higher than in the case of a main line movement. *Almonte Knitting Co. v. C.P.R. & M.C.R. Cos., 3 Can. Ry. Cas. 441. Malkin & Sons v. G.T.R. Co., 8 Can. Ry. Cas. 183.*

The Board has recognized in connection with branch line mileage in the West where, for example, on account of the urgency of the grain movement, leave to carry traffic is given with respect to a branch line which is not in complete shape for the carriage of traffic, that a somewhat higher basis is justifiable. In general, standard mileage rates are charged to the junction point where the special mileage rates become effective. The rates as submitted by the railway company have been checked and are found to be less than the standard through class rates would be from the initial point on the branch to the terminal point of the main system. They are also found to be lower than the combination of standard class to the junction and special beyond. Under the circumstances, the rates do not appear to be unreasonable, and complainants should be advised accordingly.

Assistant Chief Commissioner Scott and Mr. Commissioner Goodeve concurred.

FERNIE FORT STEELE BREWING COMPANY V. CANADIAN PACIFIC RAILWAY COMPANY *re* HEATED CAR SERVICE.

Judgment, Chief Commissioner DRAYTON, November 19, 1915:

A complaint was made by the Fernie-Fort Steele Brewing Company, Limited, of Fernie, B.C., as to the heated car service supplied by the Canadian Pacific Railway Company.

It appearing in consideration of that case that, although the circulars issued by the railway company governing shipments west of Lake Superior of perishable freight liable to be easily damaged by frost, required the movements to be made at the owner's risk, the railway company in that case affected and which had received a revenue of $1,171.89, nevertheless paid out on claims for damages by frost no less than $2,134.52.

Taking 67 per cent as the operating ratio then applying, although that ratio as applied to the L.C.L. movements will be low, it cost the railway, in the first instance, $784.06 to earn the freight charges of $1,171.89, resulting in an apparent profit of $386.72. In view of the amount actually paid for damage claims, the railway company, after having performed the service, was as a result some seventeen hundred and forty-seven dollars out of pocket.

For reasons set out in a considered judgment, relief was given the railway company.

Based on this judgment, the railway company has issued a general form of release, which in terms applies to the movement of all perishable freight, such as beer, fruit, and vegetables during the cold periods, west of Port Arthur.

Clause 2 of the original Order, however, limited the effect of the judgment as follows: —

> "That this order apply to shipments of the Fernie-Fort Steele Brewing Company, Limited, and the Elk Valley Brewing Company, Limited, and any others who may apply for the same service on the lines of the Canadian Pacific Railway Company west of Port Arthur, during the winter of 1915-1916."

Complaints have been made by different boards of trade on behalf of shippers.

The Board is not in a position to determine, from the record as developed merely on complaints of the Fernie-Fort Steele and Elk Valley Brewing Companies, Limited, whether or not the Order which was intended to deal with that specific case, resulting as it did in a specific hardship to the railway company which could not be justified, should be extended in like manner to other perishable commodities.

I am of the opinion that the Board's Order No. 23997, of date July 22, 1915, should be amended, so as to confine the portion of the release form there considered solely to shipments west of Lake Superior of beer in less than carload quantities, in cold or stormy weather.

Mr. Commissioner McLean concurred.

Re CARTAGE.

Judgment, Chief Commissioner DRAYTON, November 22, 1915:

Several complaints have been made as to the practice of Railway Companies in collecting cartage tolls from consignees.

The complaints are complaints really made by the consignees against the consignors, as the collection of cartage charges, which from time to time are disputed, are invariably charges which the consignor has instructed the railway company to collect from the consignee. The railway makes no profit out of the transaction, and it is a matter of indifference to it whether it collects from the consignee the cartage charges which have been charged against the railway by the cartage company, or whether the consignor pay them in the first instance.

It is perfectly clear that cartage is not covered under the maximum toll which railways may collect for the service of transportation as contemplated by the Act. By this I mean it is not included in any filed tariff applicable to the line-haul. It is entirely a separate and distinct matter, and has nothing to do with the factors making up the railway transportation rate as popularly and properly understood.

Some of the English Acts make the point perfectly clear. The Act of the London, Brighton, and South Coast, 26-27 Victoria, Chapter 218, Section 51, provides that the maximum rate of charges to be made by the company for the conveyance of animals and goods shall not exceed certain sums prescribed, and especially excepts a reasonable sum for, among other things, delivery and collection.

In case of Sowerby *vs.* Great Northern Railway, 60 L.J., Q.B. 467; 65 L.T. 546, C.A., it is expressly held that a railway performing a cartage service is entitled to be paid for it.

The Board has dealt with the matter similarly. The considered judgment of the Assistant Chief Commissioner will be found in Stewart *vs.* Canadian Pacific Railway Company, 11 C.R.C. 197. In that case the charge had been made for carting a marble slab to the freight sheds of the railway company from the premises of the consignor. The cartage was included in the railway company's freight bill and paid by the consignee at Hamilton. On it appearing that the company's cartage tariff, which had been approved by the Board, did not include a charge for carting marble slabs in Montreal, but as pointed out in the judgment, expressly excluded marble slabs, the charge was disallowed, on the ground that it was a charge collected as a toll within

the meaning of the Railway Act not appearing in a tariff, a practice prohibited by ss. 5 of section 314.

The Act itself contemplates charges for cartage. The amendment of 1908 substitutes a new section for s. 2, ss. 30, this subsection defining the word "toll" or "rate" specifically includes charges for cartage. Railway companies have since filed proper and appropriate tariffs for cartage service.

The practice which has been followed for years has in effect been that the railway companies have advanced cartage charges on outward shipments to the cartage companies and have included in their freight bills under the caption of "cartage charges" the amount advanced.

In August of 1913, the railway companies proposed to cancel all cartage tariffs, as they desired to discontinue contracts which they had made with the cartage companies.

The railway companies urged that they had, in the past, been absorbing part of the charge; and that the service was not a railway service, but one which had been given in ease of the general situation and for the convenience of the public.

Strong protests were made against the proposal. It was reconsidered by the railways; and, at the request of the shippers, the practice was continued under a somewhat higher tariff.

The shippers alleged that it would cost much more if the shippers had to have the service performed by independent carters, and that much confusion and inevitable delays would result, if the previous system was abandoned.

At that time, as now, the consignees objected to be charged with the cartage rate. The position taken by the Board at that time was that the Board had not the power and should not attempt to change or modify in any way the rights and obligations of the contracting parties; that the question as to whether the consignees should or should not pay cartage was a matter entirely of contract between the consignors and the consignees, that the Board had nothing to do with the question; and that the work of cartage was not a railway service or facility within the meaning of the Act although covered by the definition of "toll."

In case where the purchase is f.o.b. cars at shipping point instead of at the warehouse, there is no doubt that the consignees should not have to pay the cost which should be borne by the consignor; but this question is not, however, in any sense, a question for the Board. Generally speaking, the railway company is bound by the instructions to the consignor. If these instructions include the collection of the cartage charges, in addition to the collection of the freight charges, there is no reason why the railway company under the Act cannot hold delivery of freight until payment is made

The consignee's remedy is simple, as he has but to deduct the sum collected, if improperly collected from him, for cartage from his invoice. The case is just the same as if the consignor, in a case where the contract called for free delivery at destination, had forwarded the shipment with freight charges collect.

In each instance, the question as to whether the freight charges or the cartage charges should be paid by the consignor or the consignee depends on the terms of the contract, to which the railway company is not a party and has no means of ascertaining the facts.

Assistant Chief Commissioner Scott, Deputy Chief Commissioner Nantel, and Commissioners McLean and Goodeve concurred.

IN THE MATTER of the order of the Board No. 14184, dated May 9 and 10, 1911; and the application of the Bell Telephone Company of Canada, hereinafter called the "Bell Company" in pursuance of the terms thereof, for an order rescinding said order in so far as it concerns the Ingersoll Telephone Company,

Limited, the Blenheim and South Kent Telephone Company, Limited, the People's Telephone Company of Forest, Limited, the South Lambton Telephone Co-operative Association, Limited, the Markham and Pickering Telephone Company, Limited, the Niagara District Telephone Company, Limited, the Municipal Corporation of the village of Brussels, being the initiating municipality of the Brussels, Morris and Grey Municipal Telephone System, and the Wheatley Telephone Company, Limited.

AND IN THE MATTER of the application on behalf of the said Telephone Companies hereinafter called the "Independent Companies," for an order varying said order No. 14184 by reducing and making reciprocal the connecting toll or by eliminating the said toll altogether; and also by extending the operation of the said order to all independent systems connecting with the Bell Company.

Judgment, Chief Commissioner DRAYTON, November 26, 1915:

An application was filed by counsel on behalf of the Independent Companies, so called, for leave to appeal from the Board's order of September 14, 1905, on the following grounds:—

"1. That the Railway Board erred in interpreting the Railway Act as authorizing the charging of any additional toll or charge outside the established rates of the Bell Telephone Company of Canada as compensation for the use of its long-distance lines.

"2. That the Board erred in giving compensation in respect of the loss of business to the Bell Telephone Company's local exchange business occasioned by giving independent companies long-distance connection.

"3. That the Board erred in discriminating between competing companies and those companies with which the Bell Company has switching agreements."

The application was heard in chambers on October 28, 1915, when counsel for both parties were present.

An opportunity was given counsel for the independents to amplify the application and file the exact questions which he desired to have submitted to the Supreme Court. This has since been done. The questions which are desired are as follows:—

"1. Whether the Board had power, under the Railway Acts and amending Acts, to authorize the charging of any additional toll or charge outside the established rates of the Bell Telephone Company of Canada as a condition precedent to or compensation for the use of long-distance lines of the said Bell Telephone Company of Canada.

"2. Whether the Board is authorized, under the Railway Act and amending Acts, to give compensation in respect of the loss of business to the Bell Telephone Company's local exchange business occasioned by giving independent companies long distance connection.

"3. Whether the Board had power to make an order which discriminates in the rates to be charged by the Bell Telephone Company against competing companies and those companies with which the Bell Company does not compete."

I did not sit in the original hearing, and although present at some of the subsequent hearings, took no part in the judgment of the Board, which was delivered by Commissioner McLean.

There were serious differences of opinion between the parties as to the effect of the judgment, and at the request of the parties the terms of the order have been considered by the full Board, and the whole question practically again considered.

As far as I can recollect, at no hearing at which I was present, were the questions herein submitted as questions of law, but rather matters at the discretion of the

Board. Mr. Gamble, however, points out, and I have no doubt he is perfectly correct, that in the course of the original hearings presided over by the late Chief Commissioner, submissions were made on the legal issue.

Under the Act, of course, it is clear that my colleagues did not consider these questions as questions of law, as had they been so considered, the order of the Board must, owing to the view I was compelled to take, have been different. Section 13, ss. 2.

My colleagues are of the view that notwithstanding leave should be given to appeal.

Counsel for the independents lays much stress upon the judgment of the Assistant Chief Commissioner, which determines the form of the order. He argues that in view of the opinion adopted in this judgment, it is perfectly clear that the Board's Order is illegal. He adopts the wording of the judgment and argues that he "cannot see how this Board is concerned with the question whether the company applying for connection is or is not in competition with the Bell . . ." "There is nothing said in the statute about competition between the companies . . . "; that there is nothing incumbent upon us in fixing the terms of the order to decide what is competition or when it exists and that, therefore, an order which provides one set of rates for competing and another set for non-competing companies is clearly discriminatory and against the statute.

The judgment must be considered as a whole and with reference to the judgment of the late Chief Commissioner Mabee and of Commissioner McLean on the main issue.

The question of the Board's jurisdiction—the reason why the matter is brought before the Board—is the question which the Assistant Chief Commissioner deals with. The parties being unable to agree, the action of the Board is invoked, not because competition does or does not exist, but because the companies have been unable to arrive at an agreement. The judgment does not find that the question of competition is a question which cannot be considered by the Board in arriving at the consideration to be paid by the company desiring the connection.

The Board has fixed a standard form of agreement. While nothing is said in the agreement on the question of competition or non-competition, it is perfectly well known and understood, not only by the Bell but by the independents, that the Bell Company makes no objection whatever to giving long distance connection to non-competing systems. It did not object to making connection with competing systems. The agreement gives, therefore, as a matter of fact, only applied to and was only made with companies non-competing, or perhaps I should say non-competing in the opinion of the Bell Company.

The Bell Company has made some 613 agreements with non-competing companies. It has by its own action many times repeatedly shown what it believes to be fair and proper terms on which connection may be made in the absence of competition, and if the question of competition cannot be considered as constituting substantially dissimilar circumstances and conditions within the meaning of the Railway Act, the same treatment acceded non-competing companies must be extended to competing companies. The position of the independent companies does not differ in any other particular. The connection and the service to be supplied the traffic offered is the same. The majority of the Board follow and do not dissent from the judgment of the late Chief Commissioner Mr. Justice Mabee. Non-competing independent companies initiate long distance business for the Bell without damage to the local business while in the case of competing companies the local business of the Bell Company suffers to a greater or less extent.

The absence of competition on the one hand and its presence on the other in the opinion of the majority of the Board, constitutes sufficient grounds for a difference of treatment.

In my opinion, the question of discrimination is not a matter to be submitted to the Supreme Court under the Act.

The whole case, however, has been so bitterly contested and at such length, that, in view of the circumstances and for the purposes of this case, I adopt the view of the majority, and submit as questions of law the following questions to the Supreme Court:—

1. Whether the Board had power under the Railway Act and amending Acts to authorize the charging of any additional toll or charge outside the established rates of the Bell Telephone Company of Canada as a condition precedent to or as compensation for the nse of long distance lines of the said Bell Telephone Company of Canada.

2. Whether the Board is authorized nnder the Railway Act and amending Acts to give compensation in respect of the loss of business to the Bell Telephone Company's local exchange business occasioned by giving independent companies long distance connection.

3. Whether the Board has power to authorize the payment of a special toll as a condition precedent to companies competing with the Bell, obtaining long distance connection with the Bell, while not subjecting non-competing companies to a like toll in view of the provisions of the Act relating to discrimination.

Mr. Commissioner GOODEVE: I am of the opinion that in view of all the circumstances an appeal to tho Supreme Court on the above questions must be allowed.

Mr. Commissioner MCLEAN: I am of the opinion that appeal should be allowed.

Judgment, Assistant Chief Commissioner SCOTT, November 26, 1915:

In my opinion the questions set out in the Chief Commissioner's judgment of to-day's date should be submitted to the Supreme Court.

As I tried to point out in my memorandum dated September 2, 1915,—which settled the language of certain clauses which now appear in general order No. 149, dated September 14, 1915,—the Board has jurisdiction to order connection when the parties cannot agree. It is the failure to agree which brings the parties before the Board. The company seeking long distance connection with the Bell Company by order of this board may, or may not, be in competition with the Bell Company for local business. It is the failure to agree, not the existence of local competition, that gives us jurisdiction to act; and, I therefore thought it best to permit no reference to competing companies or competitive districts to appear in our order. But, I do not want to be understood as taking the position that in fixing "such terms as to compensation as the Board deems just and expedient," we should not consider all the circumstances and conditions of both companies which will be affected by the compulsory connection. If it is a fact that the companies are in competition for local business and that the connection for long distance messages which the Board may order will materially benefit the applicant company in its efforts to increase its local business, I think the Board is justified in taking this benefit into consideration in fixing the compensation which the applicant company should pay.

Also, it is quite clear that circumstances and conditions affecting connection between companies that cannot agree because of local competition are substantially dissimilar circumstances and conditions to those affecting long distance connection in the case of companies where no such competition exists.

CITY TRANSFER COMPANY *vs.* CANADIAN NORTHERN RAILWAY COMPANY *re* BREACH OF CONTRACT.

Judgment, Chief Commissioner DRAYTON, December 3, 1915.

Complaint has been made by the City Transfer Company against the Canadian Northern Railway Company for breaches of the contract dated February 1, 1911, to which the complainant and the Canadian Northern are the parties.

The City Transfer Company claim that, in violation of the terms of contract, the Twin City Transfer Company has been allowed by the railway company to solicit and carry on business at the Canadian Northern station in Edmonton.

Paragraphs 11 and 12 of the contract, which are relied on, are quoted by the applicants as follows:—

> "Clause 11. That the contractor is to receive from the railway company the exclusive right to use the platform of the railway company at its said station, in the said city of Edmonton, for the purpose of soliciting for the carriage of baggage, so far as they may legally do so and as provided by the terms of paragraph 12 hereof, and is to pay the railway company for such exclusive privileges the sum of $15 per month excepted that the contractors are not given the right to solicit the carriage of baggage on the train platform between the station and the tracks on, or north of the line formed by the eaves of the building, but is permitted to solicit east or west of said line, providing the soliciting is done in such places that it does not interfere with the passage of passengers and handling of baggage and mail.
>
> "Clause 12. The railway company will give and grant as far as it legally can, and to such extent and it does hereby give and grant to the contractors the sole and exclusive right to perform the services which the contractor has hereof agreed to perform and that whilst this agreement remains in force the railway company will not willingly consent to any person, not in the employ of the contractor soliciting within its station or any train operated by it, or on its station platform, the transfer of baggage within the said city of Edmonton as herewith provided for."

The applicant relies on the Board's judgment in the case of the Twin City Transfer Company *vs.* The Canadian Pacific Railway Company, 15 C.R.C. 323.

The complainant in that case applied for an order which would compel the railway company to extend to the applicant the same privileges as are enjoyed by the City Transfer Company at the company's railway station in Edmonton (Strathcona). The decision in this case affirmed, subject to the qualifications expressed in the judgment, the general right of the railway company to make special arrangements with one transfer company without extending such arrangements to all expressmen who might desire from time to time to go into the business.

The Grand Trunk Pacific have the right to use and do use the station at Edmonton; and it appears from a report of the Board's officer, that the Twin City Transfer Company have a contract of the same character with the Grand Trunk Pacific.

The result of course is that the City Transfer Company are not getting any exclusive privileges as called for by its contract, and are subjected to full and apparently very effective competition by the Twin City Transfer Company.

The City Transfer Company ask for a ruling of the Board on the question and a direction requiring the railway company to carry out the terms of the contract, and to remove the representatives of the Twin City Transfer Company from the station and to prevent that company soliciting business on the platforms.

The applicant company is paying $15 a month for exclusive privileges which it does not appear to be getting.

There is, however, no public interest involved which would justify the Board in interfering one way or another on the mere question of contractual rights, involving as they do no public interest.

The Inspector's report does not show any congestion or trouble of any kind resulting to the public by the operations at this station of two transfer companies. Under these circumstances, the matter is not one within the Board's jurisdiction but of the regular courts.

The application must be dismissed.

Mr. Commissioner McLean concurred.

APPLICATION OF THE CANADIAN NORTHERN RAILWAY COMPANY TO DIVERT RUE VERANDRYE IN THE CITY OF ST. BONIFACE, MAN.

Judgment, Chief Commissioner DRAYTON, December 3, 1915:

The original application was heard at a sitting of the Board held in Winnipeg, when it appeared that an agreement had been entered into between the city of St. Boniface and the Railway Company, and that under the terms of this agreement Rue Verandrye and Rue Thibault were to be in part closed.

The Canadian Northern track running approximately in a northerly direction, on reaching Rue Notre Dame curves to the west. The westerly limit of its right-of-way, when crossing Rue Verandrye, is some 250 feet west of its easterly end. Rue Thibault, a street which runs north and south, infringes on the right of way as soon as it reaches Rue Notre Dame, a street but one block south of Rue Verandrye.

The proposal was to close that part of Rue Verandrye east of the railway, which would mean closing the street in front of a 66-foot lot on the south side, and in front of some 150 feet of property on the north.

Rue Thibault was proposed to be closed south of Rue Verandrye to the north side of Rue Notre Dame.

Under the agreement, a substituted right-of-way was to be laid out west of the company's railway allowance running south from Rue Verandrye to Rue Notre Dame.

At the hearing, objection was made on behalf of Mr. G. A. Gareau, whose property the adoption of the plan would require to be expropriated. Mr. Gareau insisted the diversion was not wide enough, and that no order should be made, unless a 66-foot street was provided.

It was pointed out at the hearing that the question was entirely one between the municipality and the railway; but Mr. Clark, of the Canadian Northern, pointed out that it was necessary to have the Board's approval and sanction, as the company desired to expropriate the property required.

No highway crossing exists over the railway line at Rue Verandrye, and the plans produced seem to show that one is neither necessary nor desirable.

After the hearing, the locus in quo was inspected by Commissioner Mills, who determined that a substitution highway, in view of the conditions of the locality, would be sufficient if made 41 feet. Order No. 20808 was issued authorizing the diversion as asked, subject to the condition that a 41-foot road would be built, in place of the 30-foot road called for by the agreement.

The railway company appeared before the Board at a later sitting held in Winnipeg in June, 1914, when it desired the order changed so as to give effect to the agreement, making the substituted highway only 30 feet in width. The application was refused by Order No. 22112.

No further action having been taken by the company, at a sitting in Winnipeg, November 16, 1914, the question was brought up by the municipality; and Order No. 22950 was made, limiting the time within which the work was to be completed.

The work not having been done, the landowner interested again brought the matter to the attention of the Board, when the company definitely took the position that, while it considered that the closing of the portions of the streets above mentioned would be worth to it the expenditure necessary to provide the 30-foot diversion, the company did not consider that the closing of these portions of the streets would be worth to it the expenditure necessary to carry out the condition necessary, as stipulated by the Board; and the company further took the position that, unless the original agreement with the city of St. Boniface was carried out, it did not at the present time wish to proceed with the matter but allow it to stand as it was.

The jurisdiction of the Board was invoked in the first instance merely for the purpose of enabling the Canadian Northern Railway Company to expropriate land in order to carry out an agreement it had made with the city. That agreement the

Board did not allow the company to carry out, except with a variation that eleven more feet of land was to be obtained by the company.

Under the agreement, the company is not bound to provide this eleven feet.

In view of the company's election to abandon the agreement under which the work was to be done, the order limiting the time within which the work was to be done was rescinded.

A largely signed petition has now been received, stating that the fact that the street diversion has not been opened has greatly prejudiced the interests of the citizens and ratepayers of the city.

Copies of this memorandum to be sent to the parties, who are requested to advise as to whether or not the agreement between the city and the company has in other respects been carried out, and if any benefits thereunder have been obtained by the railway or by the city. Also whether the city has or has not closed those portions of Rue Verandrye and Rue Thibault, and for which the agreement provided the substitution of the 30-foot road.

Mr. Commissioner McLean concurred.

CHINOOK COAL CO. V. CANADIAN NORTHERN RAILWAY CO. *re* WESTERN RATES CASE.

Judgment, Chief Commissioner DRAYTON, December 7, 1915:

The practice of many mining companies operating in Alberta has been to stock up coal in western points during the summer months for winter supply, in order to avoid the possibility of shortage and to release cars for grain shipments when the grain commences to move in the autumn.

In June of 1914, it was apparent that by reason of the material reduction in coal rates worked by the Western Rate Judgment, coal would not be stored as was the usual practice and that traffic congestion with consequent delays would result.

At the Board's sitting in Calgary, held on June 22, 1914, the Board approved of an arrangement under which all coal shipped to be stocked during the summer months should move under current tariff rates, with the understanding that if such coal was on hand and undelivered on September 1, the rates charged should be readjusted on the basis of the rates reduced by the Western Rate Judgment effective September 1

Much of the coal forwarded for storage moved on credit. In such cases, all that was required to be done was simply a readjusted freight bill. In the case of coal moved for storage but without credit, the result meant that a rebate must be made for the difference between the rate before and the rate after September 1, provided, of course, that the coal had been shipped for stocking purposes and was on hand at the time the new rate become effective.

The Chinook Coal Company now complain that the Canadian Northern Railway Company are refusing to carry out the arrangements made by direction of the Board.

It appears that the Coal Company's plant is situated on the line of the Canadian Pacific Railway Company. It states that it has filed altogether some $6,000 worth of claims with that company, but says that the Canadian Northern refuses payment of its proportion of the claims, which amounts to $243.19.

The position taken by the Canadian Northern is that—

> "Neither the Board nor the parties before the Board at the hearing had any other intention than that the arrangement that the rebate should only apply to those firms having shipping arrangements on the storage basis and the Board stated clearly that they had no intention of enlarging the list of firms that this previous arrangement applied to.
>
> "Our traffic officials investigated the coal mines on our lines to ascertain whether we would be affected by the General Order given by the Commission at the sittings and they decided that we would not be in any way affected since

we had not the arrangement referred to by the Board, and that therefore no steps need be taken by our company in reference to the direction given.

"Our Traffic Department report that the Canadian Northern Railway never had any arrangement with coal shippers on our rails and we did not have any arrangement which the Canadian Pacific Railway had in effect in the movement of coal from mines located on their line and extending to the Canadian Northern line.

"We submit that the Board should not, in view of this fact, order a reduction in our rates on coal shipped from mines located on the Canadian Pacific Railway since this company had no arrangement with miners located on its own rails, and to make a discrimination of the mines shipping from Lethbridge and from Canadian Pacific Railway shipping points would result in discriminating against and work a hardship on mines located on the Canadian Northern."

The arrangement entered into was an arrangement which was just as much, and perhaps more, in case of the railways as it was in case of the mining companies. The railways were vitally interested in seeing that as much coal as possible could be shipped prior to the movement of the grain crop, so that all rolling stock, as far as possible, could be devoted to the purpose of the grain movement.

The Canadian Northern Railway Company was represented at the hearing, and certainly did not object to the arrangement.

The original application was to direct that the coal tariff should be brought into force on the 1st of July instead of the 1st of September,—something the railway companies represented they were unable to do. This point was well taken, as the tariffs were long and a good deal of time was required to have been properly prepared.

The only other way that the coal business could be kept in its proper and original channels and storage done, was to provide, as it was done with the approval of everybody; in short, that coal sold as summer coal went under the summer or old rate, but winter coal, never mind when forwarded, at the winter or new rate.

The result was that coal dealers who had properly supplied themselves with coal for their summer requirements were not injured by the reduced rate going into effect sooner than they had anticipated it would, while on the other hand everybody was advantaged.

The position of the Canadian Northern practically is that, although the Chinook Coal Company made arrangements with the Canadian Pacific Railway on the lines indicated for storage of coal with a rebate at the new rate, the arrangement was to apply merely to Canadian Pacific Railway points on which the coal originated. The arrangement, however, was made effective at all points in Alberta, Saskatchewan and Manitoba.

The Canadian Northern gets just as much benefit out of the arrangement as does the Canadian Pacific, to the extent that coal passes over its rails and uses its terminals.

The Canadian Northern ought to adjust the balance payable by it, as to the amount of which I understand there is no issue. I should further say that the question of arrangements in the past made by railways with coal shippers to facilitate the movement was not the controlling factor as indicated by the Canadian Northern. Public interest demanded that the coal traffic should in part be moved before the grain crop. The arrangement made this possible.

Assistant Chief Commissioner Scott and Mr. Commissioner Goodeve concurred.

SESSIONAL PAPER No. 20c

APPLICATION OF THE CITY OF HAMILTON FOR AN ORDER DIRECTING THE TORONTO, HAMILTON AND BUFFALO RAILWAY COMPANY AND THE CANADIAN PACIFIC RAILWAY COMPANY TO CONSTRUCT A NEW HIGHWAY BRIDGE CARRYING THE LINE OF KING STREET, IN THE CITY OF HAMILTON, OVER THE RAILWAY TRACKS OF THE COMPANY AT THE INTERSECTION OF KING STREET AND THE TORONTO BRANCH OF THE TORONTO, HAMILTON AND BUFFALO RAILWAY COMPANY.

Judgment, Chief Commissioner Drayton, December 13, 1915:

Application was heard at a sitting of the Board held in Hamilton, judgment being reserved for the purpose of having a thorough examination of the present structure and of the district served by it.

It appeared at the hearing that the bridge in question was built by the Toronto, Hamilton and Buffalo Railway Company under the authority of an Order made by the Railway Committee of the Privy Council.

The application on which the Order was made was for the approval of plans and profiles of those portions of the railway to be constructed across Garth, Main, King, and other streets in Hamilton.

In so far as King Street is concerned, the order simply approves of the crossing as shown on plan submitted, and authorizes the Toronto, Hamilton and Buffalo Railway Company to make the crossing.

The crossing authorized carries the highway over the railway by an iron bridge. The Order is entirely silent as to the question of maintenance, extension or widening of the bridge. The bridge as approved and constructed has a roadway of 24 feet with 6 feet on either side for sidewalks.

The question was considered, before the Order was made, by the City Council and a minute of that Council was put in evidence to the effect that the Council approved of the plan submitted by the Railway Company for the bridges over its line on Main and King Streets, each bridge being 36 feet wide, having 24 feet for a roadway and 6 feet on each side for sidewalks, the Company agreeing that, should the City Council at any time in the future deem it necessary that the bridges should be widened, to meet the requirements of increased traffic and the Chief Engineer of Railways and Canals concurred in that opinion, the Railway Company would widen the bridges accordingly at its own expense.

No record of the proceeding before the Railway Committee leading up to the issuance of the Order has been filed, but the parties state that no reference is to be found in them as to the alleged agreement mentioned in the Council Minutes or the terms referred to.

The Order is not made on the consent of the parties, but appears to have been made on notice to the city and after two hearings at which the city was represented by counsel. It makes no reference whatever to the conditions covered by the city's minutes, and apparently they were not considered or discussed.

The railway company state that no agreement of the character alleged was ever entered into with the city. While this is admitted by the city as being probably true, it is at the same time pointed out that the late Mr. Carscallen, who was counsel for the railway company at the time the resolution was adopted, was a member of the City Council and fully informed as to the position of the whole matter.

In my view, no agreement has been proved, and the whole question of the company's responsibility is to be determined apart from any question of contract.

The original construction was properly made in accordance with the plan adopted by the Railway Committee of the Privy Council, and to the satisfaction of that committee. The structure was a structure capable and sufficient of answering all the demands placed upon the highway for traffic purposes in 1896.

The railways interested claim that the whole railway responsibility is to maintain this bridge as constructed.

Apart from any question of contract, I am of the opinion that the obligation of the railway company is to maintain the bridge, not only so as to bear the ordinary traffic reasonably passing upon the highway in 1896, but to maintain it so as to keep it safe and fit for the ordinary highway traffic without limiting such traffic to the conditions obtaining in 1896—that its obligation to maintain must be considered and construed having regard to to-day's requirements.

On the other hand, I do not think that the company should be called upon to construct a bridge in advance of such requirements.

The McKettrick subdivision is the underlying reason for the present application. This subdivision was at the time of hearing apparently outside the city limits. The bridge in question is within the city and about 2,000 feet east from the city's westerly boundary. King street, to the west of the bridge, drops into the ravine with the characteristics of a winding country road subject to heavy grades.

In order to obtain a proper approach to the McKettrick subdivision and to escape grades, the bridge referred to in evidence as the McKettick bridge was built. This bridge lies to the west of the bridge in question and is also within the city limits. The approach to it from the east is by King street, and over the bridge now under consideration.

The McKettrick bridge was built at the cost of $135,000 to which cost evidence shows that $25,000 was paid by the city, the balance being paid by those interested in the development of the outside property. It was also stated that by-laws had been passed by the city requiring the Hamilton Street Railway to operate over the bridge.

It is quite clear that that bridge has been built so as to provide for street-car operation, and that such operation is necessary, if the McKettrick property is to be developed and a resultant highway traffic obtained.

The bridge as at present constructed is wide enough for the present traffic on King street. There is a reasonable question, however, as to its strength, and the load it will carry.

While it well may be that a 17-ton roller may require an unreasonable standard, on the other hand the time is approaching when the bridge will require at least reconstruction of the stringers and floor plan. The city desires that the whole character of the bridge be changed and that it be constructed so as to permit the operation of street cars on it.

Without doubt no proper benefits will ever result from the McKettrick bridge unless the intervening bridge is brought up to a similar standard, notwithstanding the fact that the present traffic on King street and that of the apparent immediate future does not demand it.

In view of the special circumstances of this case, I am of the opinion that an order should go for the construction of a new bridge of the same width as the McKettrick bridge, and designed to accommodate a double line of street cars and loads of a similar capacity as the McKettrick bridge.

Under these special conditions, the city should contribute 30 per cent of the cost and the railway interest 70 per cent.

The claim made by the Toronto, Hamilton and Buffalo Railway Company against the Canadian Pacific Railway Company remains to be considered.

The railway that is crossed by the King Street bridge is part of the Hamilton connection, so called. This portion of the railway, which extends from Garth street to the Desjardins Canal, was leased to the Canadian Pacific by indenture dated May 25, 1897, for the term of fifty years.

The Toronto, Hamilton and Buffalo Railway Company submits:—

> "If, in the opinion of the Board, the present bridge should be widened and strengthened, this company submits that no part of the cost thereof should be charged against this company as under the said lease the Canadian Pacific Rail-

way Company is liable and agreed to keep and maintain the demised property and all buildings, properties, and appurtenances connected therewith and to bear and pay all expense in doing and performing all such acts, matters, and things as might be required for the maintenance and operation of the said railway so demised as aforesaid and do and perform all the acts, conditions, matters, and things which this company would be bound to do and perform in respect of the said railway, which said agreement this company will ask leave to refer to at the hearing of this application."

The "Hamilton Connection" is a term which seems in the documents to be used interchangeably with the term "Hamilton Extension." The track so described forms a part of the Hamilton terminals, which commence with the point of connection with the Grand Trunk near the Desjardins Canal and extend to the easterly limit of the yards of the Hamilton company on its Welland branch, and to the westerly limit of the yards of the Hamilton company's Brantford branch.

The Canadian Pacific Railway Company is given running powers over and exclusive use and possession of the Hamilton connection, in addition to a use of the Hamilton terminals, as provided in the said agreement between the parties and other contracting railways of July 9, 1895.

The Canadian Pacific pays for its rights in the Hamilton terminals, including the exclusive use and possession of the Hamilton connection, 4 per cent per annum on one-half of the cost to the Hamilton company of the whole terminal, and of betterments which might be made from time to time with the consent of the Canadian Pacific. In addition to this, the Canadian Pacific Railway Company itself maintains the Hamilton connection, and pays to the Hamilton company its proper proportion of the cost of operation and maintenance of the residue of the terminals, computed on a wheelage basis.

The agreement expressly leases the Hamilton connection in the following terms:—

"All and singular that portion of the Hamilton company's railway which extends from the junction at or near Garth street in the city of Hamilton, thence to the junction with the Grand Trunk Railway near the Desjardins canal, and all the lands, properties, and appurtenances connected or intended to be used therewith, including amongst others those mentioned in the schedule hereto attached; and also the powers, privileges, and franchises of the Hamilton company in respect thereof."

The bridge is not mentioned in the schedule, which is stated to contain merely a description of the lands on which the railway covered by the lease is laid.

The covenants relied on by the Hamilton company are as follows:—

"And the Canadian Pacific Railway further covenants with the Hamilton company, its successors and assigns, that, during the said term, the Canadian Pacific Railway will keep and maintain the said demised property and all buildings, properties and appurtenances connected therewith, in good repair, order and condition, and will pay all taxes, assessments and impositions whatsoever which may by law become payable in respect thereof, and whether the same be imposed by Dominion or provincial or municipal or other authority."

"The Canadian Pacific Railway will bear and pay all expenses incurred in doing and performing all such acts, matters and things as are now or may hereafter be required for the maintenance and operation of the said railway so demised as aforesaid during the said term, in conformity with the laws of the Dominion of Canada, and will protect and indemnify the Hamilton company against every loss, damage and claim that may arise in consequence of the working of the said railway under this lease, and will (as far as it legally can)

do and perform all the acts, conditions, matters, and things which the Hamilton company is bound by its charter to do and perform in respect of the said railway and of the Government of Canada."

The Canadian Pacific Railway Company claims that the construction of new crossings or enlargement of bridges are not in any sense matters of maintenance, but are betterments, and points out that payments for betterments are specifically covered by the agreement on the basis of a division of the interest charge between the parties on the cost, betterments made during the continuance of the agreement, with the consent of the Canadian Pacific, being treated in the same manner as the original construction.

The Canadian Pacific further contends that the construction of bridges over the track or their reconstruction cannot be regarded as matters required for the maintenance or operation of the railway as such, but for highway purposes.

While the lease is a lease of that portion of the Hamilton company's railway known as the "Hamilton Connection," the extended interpretation given to the word "railway" by the Act may include the bridge in question as being a structure which the company is authorized to construct.

The Hamilton company relies on G.T.R. v. C.P.R., 15 C.R.C., page 433 (Myrtle case) as an authority applying in the present case, and requiring the Canadian Pacific, under its covenant, to maintain the King Street bridge, to rebuild it as and when traffic conditions require.

The cases are not quite the same. While it is true that the same question arises as to the proper significance to be given to the covenant of maintenance, the scope and character of that obligation in the Myrtle case had to be construed in relation to the added responsibility that the crossings were to be so maintained as to not in any way endanger the property, fixed or movable, of the Midland company—this provision requiring the maintenance of a bridge which would permit the safe passage of such traffic as traffic conditions on the Midland from time to time would require.

The lease here, of course, ought to be construed as a whole. It must not be assumed that the covenant as to maintenance is to over-ride the provisions as to betterments.

While, as between the company and the municipality, the obligation of maintenance calls for a maintenance sufficient for the purposes of highway traffic over the bridge as from time to time required, a different meaning might well be given to the same obligation as between the railways, created as it is by a document which, while recognizing maintenance on the one hand, provides for betterments on the other.

The question however is, one which the Board will not determine, unless so requested by both railways, in view of the fact that the lease provides for arbitration between the parties in case of dispute, and as for the purpose of this application no such finding is necessary.

The railway whose original obligation is now carried into effect is the Hamilton Company, which is also the owner of the line. The jurisdiction of the Board over that company is full and complete, and is not ousted by the subsequent lease.

The Order will, therefore, direct the work to be done by the Hamilton Company, and the 70 per cent of the cost which is placed upon the railway interests, to be borne by that company. The Board's action is without prejudice to the rights of the Hamilton Company in any proceeding it may take or desire to take against the Canadian Pacific Railway Company under the lease or otherwise.

Mr Commissioner McLean concurred.

SESSIONAL PAPER No. 20c

IN THE MATTER OF JOINT RATES AND CONCURRENCE NOTICES.

Judgment, Chief Commissioner DRAYTON, December 14, 1915:

The Chief Traffic Officer reports that the Canadian Pacific and the Grand Trunk Pacific Railway Companies have filed with the Board a revocation of the concurrences of the respective railway companies which were filed with the Board and the effect of which was to concur in joint tariffs issued by the Canadian Northern Railway lines (West Fort, Ont., and east thereof) and lines (Port Arthur, Ont., and west thereof).

The Canadian Northern Railway Company has retaliated by revoking its concurrence in joint tariffs issued either by the Canadian Pacific or the Grand Trunk Pacific Railway Companies.

The notifications differ in form. That of the Grand Trunk Pacific in terms revokes the concurrence filed, and states that future concurrences in favour of the Canadian Northern Railway will be covered by specific concurrence notices. The Canadian Pacific simply cancels its concurrence and says nothing as to what stand it takes in so far as future concurrences are concerned.

Under the Act, joint rates are obligatory; and, while all the railways concerned seem at least to agree in an effort to get rid of them as they are all filing revocation of concurrences, joint rates were not called for by the Act in case of railway companies but in case of the general freight movement and cost to the public.

The companies cannot be permitted to destroy the system of joint rates, simply because they so desire.

Under the Act, as I at any rate read it, no joint tariff can be disregarded by the companies until it has been superseded or disallowed by the Board.

While it well may be that the Board is not now immediately concerned as to the proposal of the Grand Trunk Pacific that concurrences in joint rates will be expressed in the future by concurrence of the individual tariff instead of by the general form which the companies file, the Board is concerned in seeing that concurrences are not revoked, in so far as joint rates effective by reason of such concurrences given in the past are concerned.

So as to give full effect to the revocation of concurrences already alluded to, the Canadian Pacific has in addition filed supplements numbers 9 to C.R.C. No. E 2841; 29 to C.R.C. No. E 2843; 2 to C.R.C. No. E 2894; 3 to C.R.C. No. E 2895; 1 to C.R.C. No. E 2896; 1 to C.R.C. No. E 3079; and other tariffs under these supplements specified.

The above tariffs directly cancel joint tariffs as therein set out.

The revocation notices given by the different companies and the supplements issued to tariffs by the Canadian Pacific as above set out, are all cancelled and disallowed. If the companies desire relief in connection with any particular joint rate now in effect, the only possible way they can get that relief is by following the provisions of the Act, and so far as the Board is concerned, making out a case justifying the extension of such relief.

APPLICATION FOR A STATION AGENT AT COLEVILLE, SASK., G.T.P. RY.

Judgment, Chief Commissioner DRAYTON, December 24, 1915:

By letter of November 23, 1915, the Oakdale Grain Growers' Association of Coleville, Sask., made application for the appointment of a permanent agent at that station.

The railway company's answer to the application shows that for the year ending October, 1915, the earnings at Colville were as follows:—

On inward freight	$ 4,935 00
On outward freight	1,008 00
On outward grain shipments	11,083 00
Passenger	248 00
Express	302 50

The company claims that, as the total receipts from all sources, other than grain, were but $6,493.50, no agent is required under the provisions of the general order No. 54.

To give effect to the railway company's contention means that revenue from grain shipments cannot be looked to as justifying an order for the agent.

So far as the general order referred to by the company, dated January 6, 1910, is concerned, the material paragraphs are 4 and 5, as follows:—

> "4. That at all stations or shipping places upon the said lines of railway, from or to which the total freight and passenger earnings of the company for the last fiscal year, or where the average earnings for the last three fiscal years, amounts to not less than $15,000, of which $2,000 shall represent inward traffic, the said railway companies shall forthwith construct and equip suitable and proper stations, not to be below the standard of plans and specifications attached, No. 2, and shall likewise forthwith appoint and continue a permanent agent at such point or points.
>
> "5. That at all non-agency points where the business of the company consists solely or principally of grain shipments and the same amounts to at least 50,000 bushels for the previous year, temporary grain agents shall be appointed and continued during the grain shipping season, being from September 15 to December 31 in each year."

The railway company is in error in concluding that the effect of paragraph 5, providing for the appointment of temporary grain agents at non-agency points conflicts with the provisions of paragraph 4, under the circumstances of this case.

While it is true, in so far as a large portion of the traffic at Coleville is concerned, that traffic can properly be looked after by the grain agent, yet, nevertheless, other earnings at the point amount to 35 per cent of the whole. The business certainly does not solely consist of grain.

The expression "principally" is not to be construed as meaning that, in cases where the grain movement is the principal business or even constitutes more than 50 per cent of the whole earnings, section 4 is not to apply. The word is used simply in qualification of the inelastic and perhaps unfortunately used word "solely". An appreciable amount of business other than grain is necessary.

It must be also borne in mind that it is against the public interest that the grain should be thrown on the market at the one time, something more likely to occur with the withdrawal of the agent's services at the end of December.

Earnings apart from grain form, as stated, a considerable percentage of the whole, total, and an Order should go for the appointment of an agent as asked.

Mr. COMMISSIONER MCLEAN: I agree that agent should be appointed as asked.

GRAND TRUNK RIGHT OF WAY, JUNCTION CUT, HAMILTON, ONT.

Judgment, Chief Commissioner DRAYTON, December 28, 1915:

Under the Board's Order No. 14052, authority was given the applicant company (the South Ontario Pacific Railway Company) to take possession of, use, and occupy the lands therein described. By Order No. 14270 subsequently made, the descriptions of the property covered were amended.

The applicant company now desires to pay the Grand Trunk the value of the property and to obtain the fee simple. The Grand Trunk, on the other hand, contend that an annual sum should be paid as compensation, this sum to be subject to adjustment either by consent or arbitration at some fixed periods.

The language of section 176, in so far as lands not actually put to a railway use are concerned, is comprehensive, and may be compared to the section defining what property the company may take belonging to individuals.

Section 176 reads as follows:—

"The company may take possession of, use or occupy any lands belonging to any other railway company, use and enjoy the whole or any portion of the right of way, tracks, terminals, stations or station grounds of any other railway company, and have and exercise full right and power to run and operate its trains over and upon any portion or portions of the railway of any other railway company, subject always to the approval of the Board first obtained and to any order and direction which the Board may make in regard to the exercise, enjoyment or restriction of such powers or privileges."

"2. Such approval may be given upon application and notice, and, after hearing, the Board may make such Order, give such directions, and impose such conditions or duties upon either party as to it may appear just or desirable, having due regard to the public and all proper interests."

"3. If the parties fail to agree as to compensation, the Board may, by Order, fix the amount of compensation to be paid in respect of the powers and privileges so granted, 3 E. VII, c. 58, s. 137; 6 E. VII, c. 42, s. 8."

The section is broad enough to authorize the Board in the exercise of its discretion to permit one company to take and acquire an absolute interest in the lands belonging to another not put to any railway use.

The words "take possession of" and "occupy" are not applied to the actual railway facilities. "Take possession of" occurs to me to imply obtaining title to the property, and "occupy" carrying that right into actual possession.

"Possession" in law does not primarily mean the actual possession of property, but rather the present right thereto, or to the enjoyment thereof, as distinguished from rights in "reversion." "Remainder," or "expectancy," while "occupy" is the co-relative verb of "occupation" and commonly denotes physical possession.

The section then permits on the one hand the acquisition of an absolute title, and on the other a mere easement for use and enjoyment.

The result, therefore, is that, in so far as lands belonging to another railway company which have not been put to any railway use are concerned, the applicant company may get the property absolutely, while in so far as property actually used by another railway company is concerned, the applicant company can merely get the right to use and enjoy it, subject to the existing rights and the existing and potential use and enjoyment of the property by the senior railway.

In the present case, the property in question had not been put to any railway use by the Grand Trunk Railway Company. It, however, appears to be property which was bought for and is a part of its right of way. It is also reasonable to conclude that at some time it may be required by the Grand Trunk for a railway purpose.

The Board may exercise its discretion in giving effect to the provisions of the section. The conclusion that I have come to is that, in fixing the rights which may be taken, and the terms and compensation under the section, lands which are not only not put to an immediate railway use but as the Board find will not reasonably and probably be required for such purposes by the senior railway, should be dealt with as the lands of a private individual, and absolute rights conferred on the applying company therein; but that, so far as railway lands which may reasonably be required at some time in the future to be put to a railway use by the senior company are concerned, the fee of the property should be left in the senior company, and that compensation should be paid for that use and enjoyment that the applicant company obtains.

The section is entirely in case of the junior company. The property that the senior line has is taken from it at the instance of a competitor, and it is but just that the wishes of the senior line, in connection with property that may be required for railway purposes by it, should be given effect to.

As the Grand Trunk Railway Company desires to retain its title, the Board will fix, if the parties do not agree, the compensation to be paid for its use and enjoyment by the Canadian Pacific Railway Company of the property in question, the amount to be fixed in a sum to be paid annually with right of readjustment at the instance of either party at the expiration of twelve years from the original entry of the applicant company; the compensation to be readjusted at the end of each succeeding twelve-year period.

Assistant Chief Commissioner Scott concurred.

APPLICATION OF THE CANADIAN NORTHERN ONTARIO RAILWAY COMPANY, UNDER SECTION 258, FOR APPROVAL OF PROPOSED NEW LOCATION OF STATION BUILDING AT NAPANEE, ONT.

Judgment, Mr. Commissioner McLean, December 28, 1915:

Application is made by the Canadian Northern Railway Company for the approval of a new station and station location at Napanee, Ont. The existing station is located on the line of the Bay of Quinte Railway, at a point adjacent to Centre street. The location is such that in order to serve the town a back-up movement is necessary. This movement is unsatisfactory and dangerous. The Canadian Northern Railway Company now desires to re-locate its station so as to have it on its main line between Toronto and Ottawa.

Application was made in the first instance by the railway company on June 29, 1914. No objection was taken by the municipality to the location as then proposed; but the type of construction was considered unsatisfactory, and the accommodation proposed was regarded as inadequate.

The matter was allowed to stand by the railway company until October 27, 1915, when an amended application was submitted. In this application, it was pointed out that the original intention had been to move the present station to a point about 350 feet south of the Grand Trunk crossing, but that the Chief Operating Officer of the Board had not favoured the proposed location or track layout on account of its being so close to the Grand Trunk diamond.

It now appears that the municipality is not opposed to the type of station; it is the question of location which is in issue. The municipality, when asked by the Board as to its position, asked for an investigation on the ground, alleging that the location as proposed was not a convenient one.

The municipality also sent in a resolution of the council stating that it was desired that there should be a Union Station with the Grand Trunk and Canadian Northern Railway Companies, at or near the present diamond crossing.

The Canadian Northern Railway Company in its answer stated that it preferred to have a separate station. The Grand Trunk Railway Company stated that its present station and facilities were in satisfactory shape; that its present location was more convenient for the residents of Napanee than would be a station at the site proposed; and it took the position that on account of these conditions it should not be called upon to make a change which would involve it entering into financial relations with the Canadian Northern Railway Company.

The matter has been investigated by a representative of the Board's Operating Department, who advises in favour of the location as proposed by the Canadian Northern.

The distance from the business centre of the town to the Grand Trunk station is 2,376 feet; to the proposed site of the Canadian Northern station 4,851 feet; from the Grand Trunk station to the Canadian Northern proposed site, 3,282 feet; and from the crossing of the railways to the site as proposed by the Canadian Northern, 733 feet. From the business centre to the crossing of the railways at or near which point a Union station is asked for by the town is a distance of 3,666 feet; that is to say, a difference of approximately a quarter of a mile as compared with the proposed Canadian Northern location.

A Union Station as proposed would be unsatisfactory from an operating standpoint. The existing location near Centre Street is unsatisfactory in that the movement interferes with the main line traffic. The crossing of the Grand Trunk and the Canadian Northern Railway Companies is not interlocked. It is only a question of time until with the development of traffic interlocking protection will be necessary. If, when interlocking protection is provided, a station were located at the diamond, an awkward position would present itself. For example, if there were a close connection between the Grand Trunk and Canadian Northern, a Grand Trunk train coming from the east would have to put off passengers and baggage at the platform and then draw west of the interlocked area. The Canadian Northern train coming eastward would then pull up and leave passengers and baggage for the Grand Trunk on the platform also taking up the passengers and baggage left there for it by the Grand Trunk; then the Canadian Northern would continue eastward out of the interlocked area; and the Grand Trunk would have to back down again to take up the traffic at the platform for it. A similar situation would arise in the case of close connection if the movements were reversed.

The Board has had to recognize the existence of such difficulties at smaller junction points. With a town of the importance of Napanee the difficulties would be still further increased.

Wherever it is feasible to have a Union Station, the general argument is in favour of such an arrangement. It means greater convenience for passengers and also helps in lessening the portion of the area of the municipality taken up by railway tracks; but it must be at the same time recognized that the Board is given no power under the Railway Act to compel railway companies to combine and create a Union Station.

The proposed location, as has been pointed out by the Board's Chief Operating Officer, is regarded as being more satisfactory than the original location as proposed at a point closer to the diamond. The location as now proposed by the Canadian Northern is adjacent to the public road leading to Belleville, which affords a ready access to the town. This road connects with West Street at the corner of Bridge Street. This point is two blocks from the point shown on the plan as the business centre of the town. The burden is on the railway company of giving a satisfactory means of access from the public road to the station.

The location as proposed may be approved.

Judgment, Chief Commissioner DRAYTON, December 29, 1915:

I agree with Commissioner McLean that approval may be given to the construction of a station at the point now asked by the Canadian Northern.

The present station facilities of the Grand Trunk are apparently sufficient for the purposes of that road, and to move the Grand Trunk to the junction point of the two railways where a Union Station is proposed would, in so far as the Grand Trunk is concerned, simply place its station facilities at an increased distance of 990 feet from the centre of the town and require the expenditure of relatively a considerable sum of money without any resultant advantage to the Railway Company.

APPLICATION FOR AN ORDER DIRECTING THE CANADIAN PACIFIC RAILWAY COMPANY TO CONSTRUCT A LOADING PLATFORM AT NAVARRE SIDING, ALTA.

Judgment, Mr. Commissioner MCLEAN, December 30, 1915:

Application was made under date of March 12, 1915, by John Ratvik, said application being dated from Wetaskiwin, Alta., stating that a side track had been built at Navarre Siding, and that it was desired to have a loading platform built at the point. It was stated that produce of various kinds was being loaded at the siding in question, and that the additional facility of a loading platform was necessary.

The matter was set down for hearing at Edmonton, and was also spoken to at Calgary. At the hearing at Edmonton, Mr. Ratvik appeared. Some question arose as to the price at which the land required for the purpose of extending the siding, erecting the loading platform, and making sufficient room for teaming in the vicinity of the loading platform could be acquired for.

Mr. J. J. McHugh, who appeared at Calgary, holds the land adjacent to the siding as located, and named a figure which the railway company thought was excessive. Mr. McHugh stated that the price was a proper one, considering the value of the land for farming purposes.

Mr. McHugh's land is on the N.W. ¼ of Section 22. Mr. Ratvik's land is adjacent to the north and south road allowance, and is on the S.W. ¼ of Section 22. The railway company owns the property here on which the facilities could be located.

Subsequent to the hearing, a petition signed by some 49 applicants was received from John Vassberg of Wetaskiwin. This petition set out that the applicants were farmers and ratepayers living near the S.W. ¼ of Section 22. They asked that the side track and loading platform be placed on the quarter section in question. They stated that during the present season some 40 cars of farm produce had been shipped from this point, and that if the accommodation asked for were put in the amount of shipping would be doubled.

The siding as it is at present on the ground is adjacent to a road allowance running east and west. This road allowance was not open at the time of the hearing at Calgary. Reference was made to this, and Mr. McHugh submitted that if he obtained the assurance of the municipality that a good road would be made by the autumn of the present year this would create a different situation. On this understanding, the existing siding was allowed to remain until an assurance was obtained of the intention of the municipality to open up the east and west road allowance this year.

The matter has stood for further negotiation. The Board is now advised that arrangements as to the additional lands cannot be worked out with Mr. McHugh. Whether this is so or not is not a question with which the Board is concerned, as the Board's concern is not with the price asked for or paid for the land, but with the question of facilities.

The municipality has not opened up the east and west road allowance referred to. This was a condition of the continuance of the siding on the N.W. ¼ of Section 22. The railway company now applies for approval of siding and grain loading platform on the S.W. ¼ of Section 22 adjacent to the north and south road allowance.

The matter has been gone into by the Board's Operating Department, which advises that the location is a satisfactory one.

From the record as developed, it appears that the location proposed will work out satisfactorily for the majority of those concerned, and approval may be given.

Chief Commissioner Drayton concurred.

COMPLAINT OF THE SPANISH RIVER PULP AND PAPER MILLS, LTD., OF SAULT STE. MARIE, ONT., AGAINST REFUSAL OF THE CANADIAN PACIFIC RAILWAY COMPANY TO SETTLE CLAIM FOR OVERCHARGE ON SHIPMENTS OF MACHINERY FROM POINTS IN MASSACHUSETTS, U.S.A., TO ESPANOLA, ONT.

COMPLAINT OF THE SPANISH RIVER PULP AND PAPER MILLS, LTD., OF SAULT STE. MARIE, ONT., AGAINST REFUSAL OF THE CANADIAN PACIFIC RAILWAY COMPANY TO SETTLE CLAIM COVERING OVERCHARGE ON FREIGHT SHIPMENTS OF MACHINERY FROM ANSONIA, CONN., TO ESPANOLA, ONT.

Judgment, Mr. Commissioner McLean, December 31, 1915:

Complaint is made that on certain shipments of machinery from Ansonia, Conn., Holyoke, Worcester, and Lawrence, Massachusetts, to Espanola, Ontario, a rate of 33

cents was charged, it being contended that the rate of 25 cents from points of origin to Sault Ste. Marie, Mich, should apply as a maximum, Espanola being intermediate to Sault Ste. Marie, Mich., and 135 miles short thereof.

The alleged overcharges amount to $333.84. The shipments in question moved during 1913.

The reasonableness of the rate charged is not attacked. The interpretation of the tariff is what is involved.

There is dispute as to the applicability of the tariffs to the type of machinery in which applicant is interested.

The tariffs concerned bear notation that, by authority of Rule 77 of Interstate Commerce Commission Tariff Circular No. 18-a, they do not apply from or to all intermediate points. In the correspondence filed by the applicant, it appears that the railway company raised the point that as the tariffs were subject to the jurisdiction of the Interstate Commerce Commission the railway company had no authority to apply the rate in question to an intermediate point in Canada. As to this contention, it should be noted that I. C. C. Conference Ruling 318 provides:—

> "The fourth section does not apply where the more distant point and the intermediate point are in a foreign country; nor when the point of origin and point of destination are both in the United States and the intermediate point is in a foreign country."

At the hearing, counsel for the railway company admitted that if the pulp mill was using the same kind of machinery as was covered by the 25 cent rate, the long and short haul clause would apply and the 25 cent rate would be the maximum (Notes of Hearing, vol. 240, p. 7360).

As indicated, the shipments moved during 1913. The tariffs under which the movement took place were C.P.D. tariff C.R.C. G.M., 86, effective August 1, 1911, and G.M., 108, effective February 1, 1913.

Both of these tariffs carried a commodity rate item No. 132 headed as follows:— "On commodities below mentioned, in carloads to Sault Ste. Marie, Mich." While the articles contained in the item are apparently those used in connection with tanning, there is no such limitation in the head-note. "Machinery" is listed under the item, but there is no word of limitation.

The tariff which has been in effect since March, 1915, has the item headed "Tanners' Supplies."

Tariffs are not to be construed by intention. They are to be construed according to their language. *Nelson v. Bell Telephone Co.*, File 13219.

When the machinery moved, the tariffs did not limit the 25 cent rate to tanning machinery. It was, therefore, available to machinery of other types. The movement is thus brought within the railway company's admission as to the application of the long and short haul clause. Adjustment to the 25 cent basis should be made.

Chief Commissioner Drayton, Deputy Chief Commissioner Nantel and Mr. Commissioner Goodeve concurred.

APPLICATION OF THE CANADIAN PACIFIC RAILWAY COMPANY FOR APPROVAL OF THE REVISED LOCATION OF STATION AT WATERFORD, ONT., ON THE LAKE ERIE AND NORTHERN RAILWAY.

Judgment, Mr. Commissioner McLean, December 31, 1915:

Application was made by the Lake Erie and Northern Railway Company for the approval of its station location in Waterford, Ont., adjacent to Mechanic street. Order approving of this location issued July 23, 1915. The matter had been especially brought to the attention of the Clerk of the Village of Waterford and the Township

of Townsend to ascertain what position was taken by these municipalities. The Clerk of the municipalities in question informed the Board that the matter had been brought before them and that no action was taken by them.

On September 20, 1913, the Canadian Pacific Railway Company applied for the approval of a revised location of the station. The revised location as applied for is located at Mileage 36·75, south of Waterford pond. Access is afforded from Nichol street.

The railway company filed plans bearing the approval as to this revised location of the Clerk and of the Reeve.

Protest was filed by Mr. G. B. Hellerman, President of the Waterford Fruit and Vegetable Growers' Association, objecting to the location as proposed and supporting the original location.

The matter was set down for hearing. At this hearing, Mr. Hellerman admitted that the new location would accommodate a larger number of people in the centre of Waterford. He raised, however, the question of accommodation to the people in the surrounding country, and in this connection used the following language:

> "But when you take the surrounding country west and east and somewhat south of Waterford, the original location would accommodate them every bit as much if not more so."

No representations from the people resident in the surrounding country have been received; but it would appear on Mr. Hellerman's statement that the balance of convenience was about even.

The Clerk of the municipalities was notified of the hearing, but was not present. He was written to asking for such submissions in the matter as he might desire to make, and he replied that no action would be taken but that the matter would be left in the hands of the Board.

The Board's inspector reports that the location at Mileage 36·75 is the more suitable as it will accommodate the larger number of people, and that it is nearly half a mile closer to the main business section of the village than the original location.

The location as suggested may be approved, subject to the railway company providing a safe road access to the station, and also erecting a substantial fence to prevent the possibility of vehicles or persons going over the side into the ravine. Inspection will be made of the work so directed, and further direction, if necessary, will be given.

Chief Commissioner Drayton concurred.

CROSSING CANADIAN PACIFIC RAILWAY IN COUNTY OF PONTIAC.

Judgment, Deputy Chief Commissioner Nantel, December 29, 1915:

This is an application to extend a municipal highway over the Canadian Pacific Railway tracks.

This highway was only opened the 8th September, 1909, long after the location of the Canadian Pacific Railway, as appears by the process-verbal filed by the municipality.

I note the engineer speaks of a road allowance existing at this point.

In Quebec, there is no such thing as road allowances, *i.e.*, roads actually traced at some particular place either on an authentic plan or otherwise.

The only allowance for roads is that granted by the Government selling a lot and adding to it an allowance of 5 per cent generally to provide for roads when opened by the proper authority.

The roads in Quebec are opened:—

1. By a resolution of a by-law emanating from the municipal authority.
2. By the Lieutenant-Governor in Council under Section 2052 R.S.Q., 1909.

3. By dedication and prescription. Nothing in this application shows that the highway concerned was opened before the railway under any of those heads and the crossing therefore should be authorized at the municipality's expense.

Chief Commissioner DRAYTON:

I agree in the judgment of the Deputy Chief Commissioner. The evidence does not show that any provision for road reservation applies to (or if applicable has not been exhausted) the railway right of way. The highway crossing is junior to the railway and the usual rule as to costs must prevail.

Mr. Commissioner MCLEAN:

I agree it not having been established that this falls within the 5 per cent reservation.

The Assistant Chief Commissioner, and Commissioner Goodeve, concurred.

COMPLAINT OF THE WESTERN RETAIL LUMBERMAN'S ASSOCIATION OF CANADA, WINNIPEG, MAN., AGAINST THE INCREASE IN CARLOAD MINIMUM ON BRICK OVER LINES IN WESTERN CANADA.

Judgment, Mr. Commissioner MCLEAN, January 6, 1916:

Complaint is made by the Western Retail Lumberman's Association concerning the increase in the minimum weight per car of brick from 40,000 to 50,000 pounds. It is stated that brick is handled by various lumber yards in the West. It appears that the brick so handled is used almost exclusively for the building of chimneys. Consequently, it is disposed of in small lots, and it, therefore, takes a considerable time to dispose of a carload. It is complained that even under a minimum of 40,000 pounds it was difficult in the case of some yards to dispose of a carload in one season; and it has been urged by some of the parties applicant that the minimum should be even lower than 40,000 pounds. It is set out by the applicant that the 50,000 pounds minimum will mean that in practically every case it will take more than one season to dispose of a carload. One of the letters on file states that so far as the particular company is concerned, all its yards "are located at country towns where the demand for brick is very light." This company finds that its sales in practically all cases are small quantities of from 200 to 500 brick for chimney work.

The Canadian Northern lines in the West and the Grand Trunk Pacific do not carry on their equipment registers any car of less than 60,000 pounds capacity. Of the 40,000 lb. cars, the Canadian Pacific has a limited number which are now used almost exclusively in boarding car service.

The standard car is, therefore, the 60,000-pound car.

The Board has not been furnished with exact figures as to the tonnage involved. The total brick tonnage handled by the western lines of the Canadian Pacific during 1914 was 101,236. Certain statistics have been filed by the applicant covering a limited number of yards and dealing primarily with the average sales per year at these yards. Mr. Lanigan, for the Canadian Pacific Railway Company, has had these figures checked and states that they show that the brick tonnage moved to the lumber yards in 1914 was 964½ tons, and that this constituted only 9·53 per cent of the total brick traffic moved. There is an error in calculation, the percentage being only 0·953. As above pointed out, the figures furnished are not the total of the gross business.

At the hearing, Mr. Galloway, President of the applicant association, stated that his association had about 1,200 yards in the country, and that the average yard would not use over 10,000 brick per annum. This at 4 pounds to the brick would mean an average consumption of 24,000 tons per annum, which would be the limit of the rail tonnage in this respect.

Bearing in mind the limitations on the statistics furnished, the 69 yards, for which details are given, sold 407,383 brick during the year 1914. The figures per yard vary from a minimum of 150 to a maximum of 22,235. The average would be 5,759 brick, or 11·5 tons. If there are deducted the four points Banff, Bassano, Kenaston and Swift Current which sold in excess of 15,000 the average for the remaining 65 yards is 5,164 brick, or 10·3 tons. Taking, however, the average of 11·5 tons, this would give an average sale of 13,800 tons per annum, which would be the limit of the rail tonnage for one year.

It was stated by Mr. Neill, Secretary for the association, at the hearing that there was very little demand for brick outside of the cities. On the averages and estimates which must be used in default of exact figures, the tonnage available would be somewhere between 12·6 per cent and 23·7 per cent of the Canadian Pacific brick tonnage on western lines. But in view of Mr. Neill's statement, it is probable that both of these percentages need correction downwards. It must, in addition, be remembered that the lumber yards are not located on the Canadian Pacific alone. The tonnage figures of the Grand Trunk Pacific and of the Canadian Northern are not available. If they were, they would have the effect of further reducing the percentage proportion of the brick tonnage handled to lumber yards.

A railway company is not justified in imposing rates on the same commodity differing according to the use to which the commodity is put. *Consideration of the Special Local Tariff of the Dominion and of the Canadian Northern Express Companies applicable on cream between points in the Provinces of Saskatchewan, Alberta, Manitoba, and Ontario, West of Port Arthur, etc., File 4214.219.* The same inhibition would attach to a differentiation of minimum weights based on the use to which the commodity is put.

If the railway company is prohibited from differentiating in rates or in minima on the basis of the use to which the commodity is put, such prohibition applies with equal force to the Board and the regulative powers it may exercise.

Classification is, of course, a matter of averaging. While hardships may at times result from an arrangement whereby various items are included under one class rating, the matter must be looked at from the way in which it works out on the average. And a similar point of view must be taken in regard to minimum weights. The minimum weight of 50,000 pounds is well within the carrying capacity of the car.

Where the weight shipped has been about the minimum or less, a change in the minimum will of course have an effect on the business concerned. But in arranging a minimum, a railway cannot reasonably be required by a regulative tribunal to fix a minimum based on the fact that the business is such that it takes a season or more to dispose of a car of brick. The fact that capital is locked up in the car of brick for a season or more is one of the incidents of the business.

A railway company is not called upon so to adjust its rates that the shipper will always be able to carry on his business at a profit. The rate is only one item in the shipper's costs. The obligation of the railway company is to charge a reasonable rate. It is not called upon, through the reduction of the rate, to guarantee that the business will be carried on at a profit. In other words, the needs of the business and the way in which it is carried on are not the measure of the reasonableness of the rate. *British Columbia News Co. v. Express Traffi Ass'n.*, 13; *Can. Ry Cas.* 176,177; *Canadian Portland Cement Co. v. Grand Trunk and Bay of Quinte Ry. Cos.*, 9 *Can. Ry. Cas.*, 209,210; *The Canadian Oil Cos. v. Grand Trunk, Canadian Pacific and Canadian Northern Ry Cos.* 12 *Can. Ry Cas.* 350,356. And it, therefore, follows that a railway company is not under obligation to so adjust its minimum weights as to offset any inherent disadvantages of the business.

The question of minimum weights must be looked at from the standpoint of the general convenience, advantage, and interest. The generality of use of the commodity involved, and how the arrangement made meets this use, must be considered. As to the

great bulk of the brick business, no objection has been taken to the minimum; and the applicants admitted at the hearing that it was improbable that such objection would be taken as to the bulk of the business.

In a business where the spread in sales in a given year as between yards is from 22,000 to 150,000 brick, it is impossible to so fix a minimum as to take care of all the fluctuations of demand. It would not be justifiable to reduce the general minimum, to which on the great bulk of the business no exception is taken, to that which is desired to meet the needs of a business of a particular type where the sale of brick is in the nature of a by-product. Nor would it, in terms of what has been set out, be justifiable to give the applicants a minimum differing from what applies to the brick-shipping business in general.

Chief Commissioner Drayton concurred.

Re STATION AGENT AT NEW HAZELTON.

Judgment, Chief Commissioner DRAYTON, January 12, 1916:

Application is made by the Grand Trunk Pacific Railway Company for an Order authorizing the discontinuance of a station agent at New Hazelton in the province of British Columbia.

The company's application shows that the receipts for freight, passenger, and express traffic for the twelve-month period from October 1, 1914, to September 30, 1915, were $11,171.51. The application also points out that the company maintains, and will continue to maintain an agent at Hazelton, which is only 3·7 miles to the west of New Hazelton, and also employs a train agent on way-freight trains. The application also gives statistics of the business at Hazelton, showing it to be the more important point.

In so far as the agency at Hazelton is concerned, ordinarily speaking, the distance between the points is such that arguments which might otherwise be well taken against the removal of the agent at New Hazelton, disappear.

We well recollect, however, the proceedings in the Hazelton station case and the character of the ground. It would be impracticable to take any proper load over the wagon road from Hazelton to New Hazelton. The characteristics of the country are such that if the business of New Hazelton can warrant the Board in compelling the company to continue an agent at that point, the agent should be continued.

The company's earnings of $11,171.51 do not include the inward passenger business; these earnings are now found to be $3,079. I do not know that the volume of inward passenger earnings is particularly important in connection with the duties of a station agent, as the incoming passenger does not, as a usual thing, require his services. The necessity of an agent, in so far as the passenger business is concerned, is chiefly in the selling of tickets, and on the revenue side, of course the revenue on the incoming business is already credited to the originating office. The figure of $15,000 fixed by the Board was however in the nature of a compromise and includes these earnings.

While the company's figures are not explicit on the point, it is apparent that the outward tonnage consists very largely of silver-lead ore. This ore is consigned to the Trail smelter on the line of the Canadian Pacific Railway, and is stated to move at the through rate of $11 per ton. The Grand Trunk Pacific credits, for the purpose of this application, New Hazelton with $3 per ton on this outward business for the 180 miles haul from New Hazelton to Prince Rupert. The Grand Trunk Pacific Steamship Company is stated to earn $3 per ton for the 450 miles Prince Rupert to Vancouver, the Canadian Pacific Railway getting $5 a ton for the 612 miles haul from Vancouver to Trail, via Spences Bridge and the Kettle Valley Railway.

In my opinion, the earnings to be credited to New Hazelton on this business cannot be confined to the $3 a ton rate. If any railway company subject to the jurisdic-

tion of the Board, owns, operates or uses steamers plying, as a direct connection with the parent railway, between any Canadian terminus of the railway company and another port in Canada, the earnings for the water portion should be considered as part of the through route and rate.

The result would be that New Hazelton should be credited with earnings at the rate of $6 per ton instead of $3. It may be noted that of the total earnings $2,909 represents inward freight, and $739.87 inward express, while the earnings from outward passengers, who are convenienced by the agent being retained, amounted to $5,218 and the outward express $462.64.

It may be that the railway is right and that business will continue to drop at this point and concentrate more at Hazelton, in which case, subsequent figures may justify the removal of the agent; on the other hand, the views of the residents of the district may be entirely correct and the earnings return to the former high level. In the meantime, the present showing is not such as to justify the Board, under the present circumstances, giving effect to the application, which is refused.

Commissioners McLean and Goodeve concurred.

Re APPLICATION OF THE CITY OF WOODSTOCK, ONT., TO HAVE LINES OF THE GREAT NORTH WESTERN TELEGRAPH COMPANY PUT UNDERGROUND.

Judgment, Mr. Commissioner McLEAN, January 14, 1916:

The application is concerned with putting underground some 2,000 feet of the telegraph lines of the Great North Western Telegraph Company, between Vansittart and Wellington streets, on Dundas street, Woodstock.

The cost estimates of placing the wires underground vary from $1,438 as supplied by the company to $681.25 as supplied by the city. Mr. Murphy's estimate is $806.25. The city has constructed a conduit in which the wires may be placed. But nothing definite is submited by the city as to the terms on which the wires would be placed in the conduit, although apparently the city would like the company to pay for the conduit.

The Board's Electrical Engineer advises that the overhead lines of the company in their standing position would last the company twenty years or more, reference has been made to the alleged poor condition of the poles. The Board's Electrical Engineer states that:—

> "The poles seem to be perfectly sound notwithstauding the fact that they have been up for many years. As is well known, poles rot at and near the ground line, from the continuous wetting and drying action of the elements; but at Woodstock the pavement has been so well done that the butts of the poles seem to be entirely protected, and so far as we could ascertain without breaking the pavement the poles show no sign of deterioration."

He further states that the poles when taken down could be cut and used, but that the wire would have to be scraped. He suggested that the poles if cut off could probably be used by the city of Woodstock in the extension of its electrical system more advantageously than by the company, which would be put to the additional expense of transportation. The city, when this proposition was brought to its attention, stated that it did not see its way clear to handle any of the material.

The statement of earnings as submitted by the company, subsequent to the hearing, showed, gross, $1,668.98; net, $740.47.

When the application was launched, there were pending schemes for placing wires underground in Hamilton and in Montreal; and it was hoped that the experience in connection with these undertakings would be available and of value in the detemination of the present application. It has happened, however, that the magnitude of the works

involved has not yet enabled the final figures of cost to be placed before the Board; and it has also developed that each of the works in question has peculiar features of its own.

The present application must, therefore, be looked at from the standpoint of the peculiar problems, if any, presented by the local situation, and the scope of the Board's powers appertaining to applications as to placing telegraph wires underground as defined in the Railway Act.

It is not disputed that the telegraph wires in question were erected and are in place under a sanction given by Parliament. Parliament has conferred the power on the Board, on application of a city, town or incorporated village, to require the company to place its lines or wires under ground, on such terms and conditions as the Board may prescribe, and to abrogate the right given by the Special Act, to carry lines on poles in such city, town or incorporated village. But while the Board may thus abrogate the right as to the future, it is not authorized to disregard the fact that the company has put its lines in place under the sanction of Parliament, and that it is on the street with rights, otherwise the use of the word "terms" in the section would appear to be without meaning. Whether the policy pursued by Parliament in granting the telegraph company rights was proper or improper, is a question of policy on which the Board is not authorized to have a voice and which it may not weigh as affecting its decision. Further, the abrogation of the right is not, in terms of the section, to come until after the terms and conditions are settled.

The powers of the Board as set out in Clause (*g*) of Subsection 1 of Section 247 refer to the "terms and conditions" the Board may impose. While the Board has been given wide powers, it has not been given untrammeled discretion. For this would be to confer a law making power. For example, in another case it was decided that the wide powers granted under Section 47 of the Railway Act, whereunder the Board's order is to come into force upon the performance "of any terms which the Board may impose upon any party interested" did not alter the specific provisions applicable to Section 237. *Grand Trunk Pacific Railway Company v. the Landowners on streets in Fort William, Fort William Land Investment Company and others, A.C.*, 1912, 224, 225.

In the present application, wide as is the apparent discretion under the section, it would appear that the scope of the discretion is dependent on what is set out in the Railway Act. If explicit statement is not given in the Act, the scheme of the Act, as contained within the four corners thereof, must be considered.

The Railway Act has grown up by accretion. To the original Act, concerned with the incidents of railway transportation, there have been added provisions dealing with other public utilities; and in respect of these a jurisdiction limited in various regards, as compared with that possessed in respect of railway transportation, has been given. But in general, it may be said that within the scope of the jurisdiction so granted the Board, in the absence of express definition or limitation, is referred to the provisions pertinent to railway transportation as showing the scope of the Board's discretion and outlining the principles to apply. The body of interpretative decisions which has grown up in regard to these provisions is of necessity pertinent.

Section 247, already referred to, does not indicate any "terms and conditions" peculiar to the telegraph business which must or ought to be considered, and it would, therefore, appear that the determination as to the type of terms and conditions, and what may be considered by the Board thereunder, must be found within the scope of the Railway Act and the body of interpretative decisions which outline the policy under which the administration of the Act has developed.

Reasoning from analogy, it would therefore appear that the body of policy which has been developed in regard to the protection of public safety by means of protection against railway dangers furnishes one important index of what here must be regarded.

As has been indicated, the wires of the company are in place and have a reasonably long life in prospect. In fact, the Board's Electrical Engineer states that, in his opinion, the standing lines are for the company's purposes almost as good as new. Even if they were not, the Act gives no power to enforce compulsory betterments simply as betterments. And it must be further remembered that the jurisdiction possessed over telegraph companies is primarily a rate jurisdiction instead of embracing also such a wide jurisdiction in respect of physical facilities as is granted in the case of railways under the Act.

In dealing with railway protection by means of grade separation, which furnishes the closest analogy to what is before us, the Board has looked to the element of danger existing. Each decision has been given on the particular facts of the particular case. It is the danger existing which justifies the grade separation.

What elements of danger are present here? It is stated that the existing structure is dangerous on account of the life of the poles being nearly over. This has been gone into by the Board's Electrical Engineer who finds, as indicated, that for the company's purposes the lines are about as good as new. Reference has been made to the fire hazard but no evidence whatever bearing upon this has been submitted.

No reference has been made to any other condition if such there is, which would be of aid in the determination of the matter.

While not saying so in explicit words, the application as developed looks to the improvement of the street by removing the wires; that is to say, an aesthetic improvement is desired by removing all overhead construction which was stigmatized as unsightly. No doubt the removal of wires is an aesthetic improvement and one may readily have sympathy with a movement to achieve such an end. But it is patent that the primary question here is what power has the Board to act, and what may it consider in arriving at its conclusions?

The Railway Act confers no power on the Board, either by direct statement or necessary implication, to order telegraph wires underground with a view to effecting an aesthetic betterment.

If the municipality desires to submit evidence bearing on the elements of danger, fire hazard or other factors which it may consider pertinent, this may be done. The question of the terms on which the wires may be placed in the conduit is a matter which will have to stand until after the municipality elects what course of action it will take in regard to the main matter.

Assistant Chief Commissioner Scott concurred.

HEATED FREIGHT CAR SERVICE WEST OF PORT ARTHUR.

Judgment, Assistant Chief Commissioner SCOTT, January 15, 1916:

For many years the railways have voluntarily maintained a heated car service for L.C.L. shipments out of Winnipeg and other shipping centres in the West during the winter months. These shipments moved under the ordinary bill of lading and no special release was signed by the shipper.

On March 4 last the Board issued Order No. 23392, on the application of the Fernie-Fort Steele Brewing Company, directing the Canadian Pacific Railway Company to accept shipments of perishable freight in heated cars under certain conditions. One of the conditions was that the shipper was to sign a release waiving claims for damages by frost. Clause 2 of the Order was as follows:—

> "That this Order apply only to shipments of the Fernie-Fort Steele Brewing Company, Limited, and any others who may apply for the same service on the lines of the Canadian Pacific Railway Company west of Port Arthur, during the winter of 1915-16."

After this Order was issued the Canadian Pacific Railway Company, the Grand Trunk Pacific Railway Company and the Canadian Northern Railway Company each submitted a form of release pursuant to the Order of the Board for approval. These forms were duly approved. The railway companies then, instead of limiting the releases to the shippers mentioned in the Order, made them of general application and insisted on shippers from Winnipeg and elsewhere signing these releases. It was not the intention of the Board that these releases should be given general application. When the action of the railway companies was brought to its attention, the Board promptly issued an Order cancelling the approval it had given to the form of release and fixed sittings at Winnipeg and Calgary for the purpose of hearing the parties interested.

At the Winnipeg sittings, Mr. Lanigan, for the Canadian Pacific Railway Company, said that his company was willing to resume the old practice of providing heated cars for L.C.L. shipments in cold weather, and Mr. Rosevear, of the Grand Trunk Pacific, concurred.

Although the railway companies agreed to maintain a heated car service, it would be well to state the terms and conditions that are to apply to such service so that there may be no misunderstanding in the future. Except during the months of January and February, the railway companies operating west of Lake Superior are in that territory to give a heated car service whenever necessary for the safe transportation of L.C.L. freight. The shipper is to pay an amount equal to 10 per cent of the freight charges for the heated car service, and is not to be called upon to sign a special release relieving the railway company of responsibility for damage by frost to goods shipped. During the months of January and February the railway companies are to give a limited heated car service upon the payment of the 10 per cent, and on the following conditions:

> There must be at least 12,000 lbs. of freight to be moved from one point of shipment to points on one section or branch of the railway.
>
> The temperature must not be below zero, and the weather must not be stormy.

As I understand the railway companies are now maintaining such a service, no order will be issued at present.

Any disputes or difficulties arising in the future as to the working out of the heated car service may be submitted to the Board for further consideration.

Mr. Commissioner Goodeve concurred.

APPLICATION OF MILK SHIPPERS FOR A RE-CONSIDERATION OF THE ORDER REQUIRING SHIPPERS TO SUPPLY A MAN TO ASSIST IN UNLOADING EMPTY MILK CANS, AND THE QUESTION OF GENERAL HANDLING OF THE SAME.

NOTE.—Railway companies will be required to show cause why a general order should not issue fixing the minimum number of milk cans requisite, or minimum carload rate necessary in order to entitle a shipping station to a separate car.

Judgment, Mr. Commissioner GOODEVE, January 15, 1916.

Order No. 15413 was issued on September 26, 1911, after a hearing held at Ottawa on June 22, 1911, at which representatives of the railway companies and the milk shippers were present. This Order was based on the Judgment of the Assistant Chief Commissioner of July 24, concurred in by Commissioners Mills and McLean. In this judgment it was pointed out that the shippers and the railways had arrived at an agreement on all points involved with the exception of one, namely, whether the shippers should assist the railway companies in the unloading of empty milk cans, and this point was covered by his Judgment.

Upon an application of the milk shippers for—

> "Re-consideration of the order requiring shippers to supply a man to assist in unloading empty milk cans, and the question of general handling of the same."

a hearing was held at Ottawa on June 1, 1915, at which representatives of the railways and representatives of the Milk Shippers Association of Montreal, and of the individual milk shippers, were present. At this hearing the whole question was carefully gone into, and an opportunity given all parties to state their views. The application to amend the order was dismissed, the Assistant Chief Commissioner, who was presiding, stating:—

> "On the question of amending the existing Order, there has not been any evidence adduced that would warrant the Board changing the General Order with regard to the necessity of having people there to unload."

During the discussion the Chesterville shippers brought up the question of having a special car set off at that point for the loading of milk, to be picked up in the morning by the regular train for Montreal. This was reserved, the Board undertaking to have its Operating Officer look into the question of accommodation, and see what changes, if any, it would be necessary to make.

On September 1, 1915, Mr. Empey, one of the representatives of the milk shippers, called on the secretary of the Board and afterwards had a discussion with myself in reference to the providing of a special car; and also the consideration of a carload rate based on a fixed minimum of cans, when it was agreed that this would be submitted to the railways for their consideration. Accordingly, notices were issued to all interested parties on September 14, 1915, notifying them of a sitting to be held at Ottawa on Tuesday, October 19, 1915.

At this hearing, Mr. Stephens, of the Montreal Milk Shippers Association, desired that the whole question, both as to the milk shippers assisting at the unloading of empties, and the fixing of a minimum number of milk cans requisite, or minimum carload rate necessary in order to entitle a shipping station to a separate car, be gone into. This was agreed.

With reference to the first question: A great deal of evidence was submitted, but no new facts were adduced that would warrant the Board in altering its decision arrived at in the previous hearing, and summed up by the Assistant Chief Commissioner, who presided at that hearing, as follows:—

> "That no evidence was adduced that would warrant the Board changing the General Order with regard to the necessity of having the milk shippers assist in the unloading of empty cans."

In regard to the question of fixing a carload rate based on a minimum number of cans was involved the further question of the number of cans required to entitle a shipping station to demand a separate car to be set off for loading, and it was this latter point around which the greater part of the argument was advanced. In fact, it was clearly shown that the present application, and indeed the previous one, was due to the desire on the part of the milk shippers of Chesterville to obtain this concession. They based their claim largely on the fact that the milk shipping station of Lachute had obtained this privilege from the Canadian Pacific Railway Company, and that the number of cans shipped from Lachute and Chesterville were approximately the same. The evidence, however, clearly shows that the conditions were not parallel, and that the reason for granting Lachute a separate car was not based upon the number of cans shipped at that station, but almost altogether upon operating conditions. In the case of Lachute there was only one milk shipping station beyond that point, whereas between it and Montreal there were a sufficient number of stations to enable them to

fill up to an average carload, while in the case of Chesterville the most important milk shipping points on the Smiths Falls subdivision are Mountain, Inkerman, and Winchester, all of which are beyond Chesterville. So that if a car were placed at Chesterville it would be necessary to carry an additional car to take up the milk shipments at these points making two milk cars neither of which would contain an average load; besides which it was shown in order that the passenger train might not be unduly delayed, it would be necessary, in the case of Chesterville, to put in an additional siding which would involve an expenditure of approximately $1,985, which the railways contended would not be justified in view of the earnings from this traffic.

With regard to a General Order for a fixed carload rate, some evidence was submitted as to the practice of the American railroads. An examination of the tariffs cited showed that the conditions under which the milk traffic was handled were entirely different. It was further admitted that the average rates were higher than those in effect in Canadian territory.

In the United States they have milk trains on which carload lots are carried from concentration plants to the city, so that there is no difficulty in carrying out the principal involved in all carload traffic, namely, one shipper and one consignee, whereas, in Canada, and in the present development of the milk traffic, this would not be possible.

It was made very apparent from the evidence submitted that a General Order for a carload rate would be practically a paper tariff, and that little or no milk would move under it.

Under these conditions, I am of the opinion that there is no necessity at the present time for the fixing of a carload rate based upon a minimum number of cans.

Chief Commissioner Drayton, Assistant Chief Commissioner Scott, and Commissioner McLean concurred.

APPLICATION FOR AN ORDER DIRECTING THE CANADIAN PACIFIC RAILWAY COMPANY TO FURNISH A SUITABLE SITE FOR A COAL SHED; OR FOR AN ORDER DIRECTING THE CANADIAN NORTHERN RAILWAY COMPANY TO GRANT A JOINT RATE TO THE JUNCTION AT FORWARD THAT SHALL BE AT LEAST AS LOW AS THE PRESENT CANADIAN PACIFIC RAILWAY TARIFF TO THE FORWARD SPUR, OR AXFORD STATION.

Judgment, Mr. Commissioner McLean, January 21, 1916:

This matter has been developed by correspondence and investigation. Application was made by the Village of Forward, Sask., asking the Board to make an Order directing the Canadian Pacific Railway Company to furnish a suitable site for a coal shed adjoining the spur at Forward, it being stated that the spur as ordered in the first place was for the specific purpose of handling coal; and that the said spur was practically useless without a shed for storing the coal.

By Order 21560, on file 6713.28, direction was given for the construction of a spur at Forward. Some delay took place in connection with the construction; but on Mr. Drury's report of November 26, 1914, on file above referred to, it appears that at that time the spur had been completed; that the roadway along the side of the track for loading and unloading carload lots had been completed; and that the roadway was satisfactory to the representative of the village. From Mr. Bradley's letter of October 20, 1914, on the same file, it is clear that the municipality understood that the spur was for the purpose of delivering and receiving shipments in car lots.

The present application asks for a site on the right of way of the railway for a shed to handle the coal. The spur having been built to handle car-lot traffic, the railway company, it seems to me, meets its obligations when it places its car for the discharging or receiving of the traffic on the spur in question.

What applicants are asking for is an additional storage facility, in order to obviate the necessity of paying demurrage. The applicants are willing to supply the

shed; what they ask for is a site. Mr. Beatty in his letter of August 14 on the present file states that the company has no station grounds at the point in question, and it would be necessary to purchase ground for the proposed coal shed.

An inspection has been made by an officer of the Board who states that it will not be feasible to build a coal shed close to the track, as this would interfere with the loading and unloading of cars on the roadway. The shed would, therefore, have to be built on the outside limit of the right of way, which would necessitate wheeling the coal across from the car to the coal bin.

Some question is raised as to the spur being known as West Axford, instead of Forward. This is a question over which we have no jurisdiction; nor can the Board compel the company to acquire land for the purpose of leasing it to the applicants.

The company in providing a spur and roadway adjacent thereto for loading and unloading the cars, has done all that it is required to do. The inspection by the Board's officer shows that the shed site as asked for would interfere with the use of the siding by people who may desire to load or unload direct from the cars; and on this account the shed in any event would have to be on the extreme edge of the right of way, thereby causing an additional cost to the applicant in handling coal from the car to the shed.

Chief Commissioner Drayton and Assistant Chief Commissioner Scott concurred.

CARTAGE EQUALIZATIONS AND THE PRACTICE OF SUBSTITUTING FREE CARTAGE FOR INTERSWITCHING.

Judgment, Assistant Chief Commissioner SCOTT, January 29, 1916:

In re-considering the General Interswitching Order the Board has deemed it proper to consider the questions of cartage equalization, so-called, and the substitution of cartage for an interswitching service. And, at the sittings of the Board at Ottawa, December 14 last, we had the benefit of a full discussion on the questions with the representatives of the different railway companies interested. The discussion largely centered around the propriety of provisions in tariffs of the Canadian Northern Railway and the Ottawa and New York. Extracts from these tariffs are as follows:—

"Canadian Northern Railway Tariff C.R.C. No. E. 708, issued November 20, 1915, effective December 27, 1915, Section C., exception to Rule 1.

"In lieu of the absorption of switching charges authorized above, the Canadian Northern Railway (Lines Westport, Ont., and east thereof) reserves the right to effect collection or delivery of all competitive carload freight traffic from or to industries located on sidings of connecting or competing railways within the terminals of the cities named below through its cartage agents at its own expense, the said cartage absorption by the Canadian Northern Railway (Lines Westport, Ont., and east thereof) not to exceed:

At Hull, Que.	3 cents per 100 pounds.
At Montreal, Que.	4 " "
At Toronto, Ont.	3¾ " "
At Ottawa, Ont.	3 " "

Ottawa and New York Railway Company, Tariff C.R.C. No. 1030, issued September 1, 1914, effective October 5, 1914. Under the heading, switching absorption at Ottawa, Ont.

"The Ottawa and New York Railway Company reserves the right to effect collection or delivery of all competitive carload freight traffic from or to industries located on or adjacent to, sidings of connecting or competing railway companies within the City of Ottawa, Ont. (including Hull, Que.) either by absorbing the interswitching charges of the Canadian Pacific Railway, Grand

Trunk Railway or Canadian Northern Railway (including the switching charges of an intermediate carrier, if the services of such a road are required) as published in interswitching tariffs on file with the Interstate Commerce Commission and Canadian Railway Commission, or by effecting such collection or delivery through its cartage agent."

If railway company "A" has a siding into a certain industry, there is no objection to railway company "B" trying to equalize the advantage that company "A" has with that industry by giving free cartage to or from the industry and its terminals. But, while company "B" is under no obligation whatever to respect the advantage company "A" has on account of its siding, it is obliged under the Railway Act to refrain from giving one shipper an undue or unreasonable preference over another, under substantially similar circumstances and conditions. These are traffic circumstances and conditions. The fact that one industry has a siding of another railway, and a second industry manufacturing the same class of goods and shipping to the same markets as the first had not such a siding would not be a justification for refusing free cartage to the second if it was given to the first industry. A railway company is at liberty to collect a toll for cartage service or to give a free service, but it must treat all shippers of the same class of goods in the same locality alike. A tariff may say that the company "reserves the right" to absorb interswitching charges, or to collect or deliver freight free; but, in doing one or the other it must not give an undue preference to one industry over another. The tariff, however, must be definite and clear so that any shipper who examines it may learn exactly what toll he must pay for the railway service he desires.

Cartage allowance to a shipper or consignee must not be made because they pertain too much of the nature of a rebate. A cartage service is rendered by those in the carting business with the expectation of making a profit. A cartage allowance to a shipper, or consignee, may be profitable to them and therefore be in effect a rebate which is unlawful. If a railway company desires to give a free cartage service, it must state in its tariff what commodities it will cart free, what rates it will pay its cartage agent, and also give the name of its agent.

Although an interswitching track connecting the tracks of company "A" with the tracks of company "B" may exist within four miles of an industry served by a siding of company "A", company "B" is not bound to have traffic between its line and the industry interswitched by company "A", but is free to cart the freight to or from the industry if it wishes. The General Interswitching Order is not a mandatory order requiring interswitching wherever possible, but merely a regulative order fixing the tolls to be charged when an interswitching service is performed.

Cartage equalization and the substitution of cartage for interswitching are therefore both practices that are permitted so long as a railway company complies with its obligations under the Railway Act to observe equality in its treatment of shippers.

There are a number of tariffs of different railway companies relating to cartage on our files which are not in accordance with the principles I have stated which should be followed. Such tariffs must be withdrawn. New ones in proper form may of course be filed.

Chief Commissioner Drayton and Mr. Commissioner Goodeve concurred.

COMPLAINT OF NORTH QUEENS BOARD OF TRADE, CALEDONIA, N.S., AGAINST TRAIN SERVICE ON THE LINE OF THE HALIFAX & SOUTH WESTERN RAILWAY COMPANY.

Judgment, Chief Commissioner DRAYTON, February 11, 1916:

The North Queens Board of Trade complain that the Halifax & South Western Railway Company have cancelled its Thursday train to and from Caledonia.

The complaint is the same as that made last year, when the matter being investigated as to traffic returns, the company, without waiting for any action by the Board, restored the service.

The present complaint, made on January 12, has been taken up with the railway company, and an inspection and report made by an Inspector of the Board.

The inspector reports that traffic conditions are no better, but are worse; traffic has not improved, and the operating expenses have increased.

The report of last year showed that the line was then being operated at a loss.

The duty of the Board under the Act is to ascertain whether the service offered is sufficient and adequate for the requirements of traffic. Under the returns shown, the Board would not be justified in making any order adding to the company's expenses.

To illustrate the result of passenger and other business on the whole branch, the earnings of both passenger and freight in November amounted to 45.83 cents per train mile, and in December 48.47 cents per train mile. These figures have been checked by our inspector. A return of $1.50 per train mile for passenger trains affords but a reasonable earning in some cases, and in others an entirely insufficient result.

In support of the application, however, the terms of the agreement of August 20, 1901, are urged. This agreement was made between the Government of the Province of Nova Scotia and the Halifax & South Western Railway Company; and under it the railway in question was constructed.

The railway, in its inception and during its construction period, was entirely provincial and built to the requirements of the provincial authorities.

Under the Dominion Statute, known as the Canadian Northern Railway Guarantee Act, 1914, 4-5 Geo. V., chap. 20, the works and undertakings of this company were declared to be works for the general advantage of Canada; and are, therefore, now subject to the jurisdiction of the Board.

The agreement between the company and the Crown, as represented by the province of Nova Scotia, contains the following provisions:—

> "That the company will, upon and after the completion and equipment of the said lines of railways and works appertaining thereto, maintain and keep the same and the equipment required therefor in good and sufficient repair and in working and running order, and will continuously well and faithfully work, maintain and operate the said lines of railway in such manner as to afford good and sufficient accommodation for the traffic thereof, and will run at least one passenger train daily each way (Sunday excepted) at a moderate rate of speed, and such other train service as may be agreed upon between the parties hereto." Sec. 2, ss. 6.

The application is, therefore, in effect, an application to enforce the terms of this agreement.

The Board's jurisdiction to enforce agreements is contained in the amendment of 1909, when a new section, 26A., was added to the Railway Act. The section reads as follows:—

> "26A. Where it is complained by or on behalf of the Crown or any municipal or other corporation or any other person aggrieved, that the company has violated or committed a breach of an agreement between the complainant and the company—or by the company that any such corporation or person has violated or committed a breach of an agreement between the company and such corporation or person—for the provision, construction, reconstruction, alteration, installation, operation, use or maintenance by the company, or by such corporation or person of the railway or of any line of railway intended to be operated in connection with or as part of the railway, or of any structure, appliance, equipment, works, renewals, or repairs upon or in connection with the railway,

the Board shall hear all matters relating to such alleged violation or breach, and shall make such order as to the Board may seem, having regard to all the circumstances of the case, reasonable and expedient, and in such order may, in its discretion, direct the company, or such corporation or person, to do such things as are necessary for the proper fulfilment of such agreement, or to refrain from doing such acts as constitute a violation or a breach thereof.

The breach here alleged (and indeed the breach here committed, because as a matter of fact the Thursday service is not given) is a matter which the Board, under the provisions of the section, can take cognizance of on the complaint of the party to the agreement.

The Dominion Act declaring the company's undertaking to be for the general advantage of Canada, does not discharge the covenant of the company to maintain a railway service as under the agreement set out, or discharge or affect the rights of the province to enforce it.

The result of the Dominion legislature would appear to afford the province the alternative of a summary application under the Railway Act before this Board to enforce the agreement, instead of proceeding by action before the Provincial Courts.

The present complainants, not being parties to the agreement, the agreement cannot be enforced at their instance; but, the question having become a matter of contract, its enforcement is entirely a matter for the parties to it, either by action in the regular Provincial Courts or by an application under the amendment above set out.

No Order can be made on this application.

Assistant Chief Commissioner Scott concurred.

THE CARRYING OF EXPLOSIVES BY A RAILWAY COMPANY NOT A MEMBER OF THE BUREAU FOR THE SAFE TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES OF THE AMERICAN RAILWAY ASSOCIATION.

Judgment, Assistant Chief Commissioner SCOTT, February 15, 1916:

The Canadian Pacific Railway Company and the Grand Trunk Railway Company have given notice to the Canadian Northern Railway Company that in future they will decline to accept shipments of explosives from the Canadian Northern Railway Company. This action was brought about by the Canadian Northern Railway Company refusing to maintain its membership in the Bureau for the Safe Transportation of Explosives and Other Dangerous Articles of the American Railway Association, commonly called "The Bureau of Explosives." For the lines of the Canadian Northern Railway Company in the Province of Ontario, I understand it would cost that company about $500 a year for membership in the Bureau.

The Canadian Northern Railway Company says that the National Explosives Limited, of Deseronto, is the only explosive factory exclusively on its line in Ontario. Manufacturers of explosives are permitted to become members of the Bureau of Explosives. If the National Explosives, Limited, joined the Bureau of Explosives, the other railway companies would not refuse shipments from that explosive company originating on the Canadian Northern; or, if the Canadian Northern became a member of the Bureau of Explosives, no shipment originating on its line would be refused by the other railways.

The question is, whether under present conditions the Canadian Pacific Railway Company and the Grand Trunk Railway Company would be justified in refusing shipments of explosives originating on the Canadian Northern.

Section 286 of the Railway Act provides that, a railway company shall not be required to carry explosives. But, if it decides to carry explosives they can only be carried if the regulations for the transportation of explosives prescribed by the Board, by General Order No. 100, are complied with.

Clause (*b*) of these regulations provides that explosives "may be received for transportation, provided the following regulations are complied with, and provided their method of manufacture and packing, so far as it affects safe transportation, is open to inspection by a duly authorized representative of the initial carrier, or of the Bureau of the Safe Transportation of Explosives and Other Dangerous Articles of the American Railway Association if it be so designated by the Canadian Carrier. Shipments of explosives that do not comply with these regulations must not be received."

There is nothing in the regulations which makes it obligatory for the Canadian Northern to join the Bureau. If the Canadian Northern will appoint a competent inspector to visit the factory of the shippers of explosives and he makes sure that the Board's regulations are followed, the railway company may receive the shipment and carry it over its railway.

Section 317 of the Railway Act, Sub-section 3 (*b*) provides that "No company shall by any unreasonable delay or otherwise howsoever, make any difference in treatment in the receiving, loading, forwarding, unloading, or delivery of the goods of a similar character in favour of or against any particular person, or company."

As it is admitted that the Grand Trunk Railway Company and the Canadian Pacific Railway Company carry some explosives they are bound by the provisions of the Railway Act, just quoted, to carry all explosives tendered to them for transportation provided the Board's regulations respecting same have been followed. Unless they have good ground to doubt its bona fides, a certificate of the initial carrier should be sufficient evidence for the Grand Trunk Railway Company or the Canadian Pacific Railway Company that the Board's regulations have been followed.

An Order directing the Canadian Pacific Railway Company and the Grand Trunk Railway Company to receive shipments of explosives from the Canadian Northern Railway Company will not issue until the Canadian Northern Railway Company has satisfied the Board that it has appointed a competent inspector and made proper arrangements for the inspection of shipments of explosives originating on its line.

Chief Commissioner Drayton, Deputy Chief Commissioner Nantel, and Commissioners McLean and Goodeve concurred.

IN THE MATTER OF THE CANADIAN NORTHERN RAILWAY COMPANY'S SPECIAL FREIGHT TARIFF C.R.C. NO. E-732; AND THE APPLICATION OF THE IMPERIAL OIL COMPANY FOR A JOINT TARIFF ON TANK AND STILL STRUCTURAL MATERIAL.

Judgment, Chief Commissioner DRAYTON, February 15, 1916:

At the sitting of the Board held in Ottawa on the 9th instant, two cases closely related were heard, and considered together.

The one involved the consideration of Special Freight Tariff C.R.C. No. E-732, issued by the Canadian Northern Railway Company, the company being required to support the tariff and show cause why it should not be cancelled as being made in contravention of the "Equality" and "Joint Tariff" provisions of the Act.

The other application was one made by the Imperial Oil Company, for an order under Section 334 of the Railway Act, requiring that a joint tariff should be filled from Sarnia to Regina, at a rate of 75 cents per 100 pounds, applicable on tank and still structural material. The Pere Marquette Railway Company and the Canadian Pacific, Canadian Northern and Grand Trunk Railway Companies being interested, either in portions of through movements or in alternative routes.

Reference to the circumstances under which the so-called Proportional Special Tariff of the Canadian Northern Railway Company came to be put in is necessary.

The Imperial Oil Company, carrying on as it does a very large business in the North-West, stated that in view of the fact that by far the largest part of the distribution of oils and gasolene was confined to a three months period, and as during that

period, which may be termed the "peak," three or four times the number of containers and transportation facilities (tank cars and the like) were required than at other times of the year, they determined that it was necessary to erect a refinery in Regina and distribute from that point.

Desiring to have the steel materials necessary for the erection of the plant fabricated in Canada and at their Sarnia works, the Imperial Oil Company approached the Pere Marquette Railroad Company with the view of obtaining a special rate from the Pere Marquette of 75 cents to Regina.

The Pere Marquette representative agreed to make this special rate of 75 cents, tansportation to be made via Chicago over the lines of the American companies connecting with that system, with the result that the American lines would get the long haul.

The Imperial Oil Company thereupon obained its materials in Pittsburg, shipped them to Sarnia, and have at least in part already fabricated them. The movement is considerable, some 5,000 tons being involved.

The Pere Marquette then declined to maintain the rate, or indeed to put it into effect; and, while nothing is said as to the reason for it, I take it for granted that the Canadian roads over whose tracks the shipment would have to go to Regina from the international boundary refused to reduce their rate, and probably brought pressure to bear upon the Pere Marquette, so as to prevent the long haul on the movement out of Sarnia being enjoyed by the American companies.

The Canadian carriers were then approached, but the Imperial Oil Company was unable to obtain any concessions from any of the carriers having connection with Sarnia. The Canadian Northern, however, subsequently agreed to put in the tariff in question and filed it.

The special rate of 75 cents that the Imperial Oil Company desired in the first instance from Sarnia to Regina was required so as to meet the Pittsburg rate of 93.9 cents to Regina, the rate from Pittsburg to Sarnia being 18.9 cents.

As the Canadian Northern Railway Company has no connection with Sarnia, the traffic from Sarnia to Toronto, moving on the Pere Marquette and Canadian Pacific Railways would pay the established rate of 16½ cents and, therefore, it became necessary that, in order to equal the 75 cent rate as desired by the Imperial Oil Company, a special rate of 58½ cents should be made by the Canadian Northern Railway Company from Toronto to Regina.

The tariff that railway company filed is said to be a Special Proportionate Freight Tariff of rate on tank and still structural material from Toronto to Regina, and is made applicable only on shipments originating at Sarnia and does not apply to points intermediate to Regina. The required rate of 58½ cents is made.

The Canadian Northern Railway Company supports the tariff as being proper under the provisions of Section 326, Sub-section 3 of the Railway Act, which reads as follows:—

> "The special freight tariffs shall specify the toll or tolls, lower than in the standard freight tariff, to be charged by the company for any particular commodity or commodities, or for each or any class or classes of the freight classification, or to or from a certain point or points on the railway; and greater tolls shall not be charged therein for a shorter than for a longer distance over the same line in the same direction, if such shorter distance is included in the longer."

The provision undoubtedly allows special freight tariffs and commodity rates. These tariffs, however, are just as much subject to the provisions of the Act relating to equality and to joint rate movements as are the original standard tariffs. The Section itself provides that greater tolls shall not be charged under such special tariffs

for a shorter than for a longer distance over the same line in the same direction if such shorter distance is included in the longer.

The tariff is confined in its operation to shipments originating in Sarnia, a point 232 miles out of Toronto, and provides for the carriage of the material in question to Regina, which is 357 miles west of Winnipeg. The rate is not extended to Winnipeg, and the Canadian Northern tariffs, before the tariff under consideration was filed, provided a rate from Toronto to Winnipeg 62 cents and to Regina 86 cents. The articles forwarded do not all take the same Class, but 6th Class to all intents and purposes applies and the rates quoted are those of the 6th Class.

The rate from Sarnia to Regina is 86 cents, the same as the rate from Toronto to Regina. The tariff in question reduces the rate applicable on the lines of the Canadian Northern 27½ cents. The Canadian Northern does not suggest that the 86 cent rate is too high. On the other hand, the consistent position taken by that company in cases being considered by the Board, is that it requires every cent of revenue that it can get and that it should not be called upon to forego any. The tariff is sought, however, to be sustained as a competitive freight tariff.

So far as the Canadian Northern line is concerned, it is difficult to see how any effect can be given to this argument. The Canadian lines have the right to differentiate any rates to the extent necessary to meet the advantages enjoyed by one company over the other that a shorter mileage creates. Carriers cannot go further than this, without rendering their tariffs subject to attack, unless the tariff scheme is carried out in its entirety.

In the regular existing tariff the Canadian Northern has already met the shorter Canadian Pacific mileage to Regina and publishes the same rate.

It cannot be contended that Toronto—Regina business or Sarnia—Regina business is more highly competitive than business to Winnipeg, or that concessions granted to manufacturers at one point should be denied those at others when similar traffic conditions prevail.

The Winnipeg Board of Trade has intervened. Its telegram, read at the hearing, is as follows:—

> "Informed Commission will to-morrow deal with reduced rate structural steel ex Sarnia, Toronto, Regina, 58½ cents. On behalf members seriously affected this Board protests strenuously against any reduction eastern to western points unless corresponding reductions made rates into and out of Winnipeg to keep manufacturers fabricating steel at Winnipeg at least in same relative position to eastern manufacturers that now exists under Commission's decision in Western Rates Case. Writing."

This telegram has been followed up by the following written submission:—

> "If reduced and special rates below those ordered by your Commission in the Western Rates Case are made from manufacturing centres in Eastern Canada to points in Western Canada as occasion arises, without any corresponding reduction in rates into and out of Winnipeg, it must be readily apparent to your Commission that Winnipeg manufacturers will be deprived of their just rights to compete with eastern manufacturers on requirements at western points, and this section feels that the Commission should not, and no doubt will not, lend its sanction to any basis of rates that will bring about such disastrous results to western manufacturers."

In this connection, the different mileages involved are as follows:—

Pittsburg to Sarnia and Sarnia to Regina, via Grand Trunk and Canadian Pacific, 2,163 miles.

Pittsburg to Sarnia, and Sarnia to Toronto (P.M. & C.P.) Toronto to Regina, the route that the proposed tariff takes advantage of, 2,288 miles.

Pittsburg to Sarnia, Sarnia to Regina, via Pere Marquette Chicago line, and Northgate, which would appear to be the route originally contemplated by the Pere Marquette, 1,958 miles.

Pittsburg to Winnipeg, Winnipeg to Regina, 1,697 miles.

It will be observed that the route covered by the tariff in question is 125 miles longer than if the ordinary route from Sarnia to Regina had been adopted, while steel originating at Pittsburg, fabricated at Winnipeg instead of being fabricated at Sarnia, has a mileage of but 1,697 miles, or 591 miles less.

One of the matters which received very careful consideration in the Western Rates Case, and an underlying principle applying to tariffs, is the right of distributing points or manufacturing centres to the advantages of their geographical situation, which should not be taken from them by any artificial or discriminatory rates.

Apart from some special circumstances or extraordinary rate, it is quite clear that there would have been an advantage in fabricating this steel in Winnipeg rather than in Sarnia. Had the shipment taken this course, the rate would have been $1.01·2, 6th Class, against the regular Sarnia rate of $1.04·9. Again, the regular Canadian Northern rate from Toronto to Winnipeg is 62 cents, while the rate in question carries the same commodity over the same lines in the same direction through Winnipeg and 357 additional miles to Regina for 58½ cents.

Apart from these considerations, Section 333 of the Railway Act provides for joint traffic. The duty is cast on the railway companies to put in joint rates, a duty which can be enforced in case of failure under Section 334.

Joint rates were in effect applicable to the traffic in question—joint rates which the Canadian Northern Railway Company does not attempt to show are excessive or improper. The whole answer is that of competition. Reference should be made in this connection to Section 337, which provides:—

> "No company shall, by any combination, contract or agreement, express or implied, or by other means or devices, prevent the carriage of goods from being continuous from the place of shipment to the place of destination."

The scheme of the Act is that traffic moving over the lines of two or more companies shall be considered and carried as through traffic on the one bill of lading, and not that local rates should be filed as proportionals and the traffic move under separate bills. The proportional rate is something which the Act does not provide for in terms at all; and, while it is quite true that through traffic shipped on a through bill of lading may move on the sum of the locals so that in a sense the local is a proportion of the through rate, it nevertheless is true that the local rate is open for every shipper to take advantage of and is not confined to a shipment originating at some particular point miles away on the one hand, or to a particular destination on the other.

The present rate, although claimed to be proportional, can hardly be so described when the result is not to maintain the joint rate out of Sarnia but to reduce it 27½ cents.

Special arrangements cannot be given effect to between railways and shippers. Traffic must be moved on the tariffs filed—no more and no less; and these tariffs must be free of unjust discrimination and comply not only with the general sections but, in cases applicable, with the joint traffic sections of the Act.

There remains to be considered the application made by the Imperial Oil Company for an Order directing the companies affected to file through tariffs providing a commodity rate on the material in question from Sarnia to Regina of 75 cents.

The application is urged in the public interest. The applicants show that the cost of fabricating in Sarnia amounted to $9 a ton; so that fabricating in Sarnia resulted in an expenditure of $45,000 in Canada, something unquestionably in the public interest.

The position of the Canadian Pacific Railway Company on the question of fabrication is that Customs Tariff, Items 381 and 382, provides a tariff of $3 and $7 a ton

on different classes of unfabricated iron and steel material, while Item 391 provides for a duty of 35 per cent, amounting as claimed by the Canadian Pacific to a duty of $20 to $24.50 a ton on the fabricated material.

The applicants showed that on the material in question the difference in duty did not exceed $7 a ton, and that of this $7 a ton, the additional cost of fabricating in Canada absorbed over $5, with the result that a sum less than $2 represented the economy of Canadian fabrication, with the further result that, on a freight basis, the economy worked would represent a sum not exceeding and possibly less than 10 cents a 100 pounds.

There is, of course, another public interest to be considered. That is the transportation interest—possibly representing, next to the great agricultural industry of the country, the largest public interest.

On the large movement in question, its carriage through the States instead of through Canada as originally arranged would represent a loss to the Canadian railway industry, based on a 75 cent rate, of $75,000 of revenue, less, of course, the short local movement which would still remain available to the Canadian roads.

The applicants give no evidence as to the unreasonableness or otherwise of the present Sarnia rate, except that which may be inferred from the fact that the Pittsburg-Regina rate is lower than the combination of the Pittsburg-Sarnia and Sarnia-Regina rates, amounting to $1.04·9, and from the further fact that the Pere Marquette Railroad Company at one time voluntarily agreed to this 75 cent rate. The larger part, however, of the earnings under that rate meant just so much found business to the American lines; and it was a rate which they chose to put in, doubtless in order to get the business, and not a rate fixed by any rate regulating tribunal as reasonable. On the other hand the Pittsburg-Regina mileage is 1,591 while the Sarnia-Regina mileage 1,773. At a rate of 93·9 the Pittsburg movement makes a mileage return of 1·18 cents and the 86 cent Sarnia movement 97 hundredths of a cent per ton mile.

The Pittsburg rate proves nothing, except that iron and steel commodities can move west more cheaply out of Pittsburg direct than out via Sarnia. It affords no evidence whatever that the Sarnia rate is unreasonable.

The statement is also made that the rate is only a paper rate, and that no traffic moves under it.

The iron and steel rates of the country stand in a certain relationship one to the other. The commodity moves, speaking generally, under the 5th and 6th Class in carloads; and, while there may or may not have been any traffic to move out of Sarnia and none moving from that point, there is no doubt at all that traffic of this character moves and is moving freely.

The same 86 cent rate applies from Hamilton and Montreal, and also from Walkerville, where there is also a bridge plant. The large viaducts and bridges in the West many of them fabricated in the East, need only be instanced. At the present it is true that a large portion of this business, perhaps indeed most of it, is now fabricated in the West for the West. The large plant of the Manitoba Bridge Company and the branch factory established by the Dominion Bridge Company in Winnipeg may be taken as evidence of this fact.

While this is true, no new tariff structure can be justified, the effect of which would be to favour the eastern fabricator of iron and steel as against his western competitor in the western market.

Before the Board can give effect to the application, the unreasonableness of the present rates must be established. If unreasonable ex Sarnia, they cannot very well be reasouable ex Hamilton, with its shorter mileage.

The simple fact that the Imperial Oil Company has a specially large shipment to make and on which large traffic returns could be earned cannot be considered by the Board as over-ruling other considerations.

It is true that under the Act the tolls for larger quantities may be proportionately less than the tolls for smaller quantities (s. 315, ss. 3).

Effect has been given to this section in the lower car lot rates—in the lower rate basis given the carload as against less than carload movements. Further than this the Board has not and in my opinion ought not to go. There is no real handicap on the smaller manufacturer or dealer under this system. Practically all engaged in the handling of the different commodities that move in carloads have enough business to provide for a carload movement, which in turn represents a greater transportation facility and lessens railway expenses. On the other hand, were rates for movements of 5,000 tons, for example, less than for 2,500 tons, it would be simply handicapping the smaller dealer and bonusing the larger. If the system were applied to the movement of any commodities moving in large volume, such as coal, the only effect in the long run would be to work the extinction of the smaller dealers and place the business of the country in the hands of large distributors.

The application must be dismissed.

Assistant Chief Commissioner Scott and Mr. Commissioner Goodeve concurred.

Mr. Commissioner McLean: The Canadian Northern tariff is discriminatory and should be disallowed. I agree in the judgment.

RE EMBARGOES.

Judgment, Chief Commissioner Drayton, February 16, 1916:

It appears that the Canadian Northern Railway Company has not been reporting to the Board embargo notices given to shippers on its lines as a result of an embargo placed on joint traffic by a connecting carrier.

The company asks for a ruling as to whether or not this should be done. In the case of embargoes put in force by an American line connection, if it were not done no notice of the embargo would be filed with the Board.

It is necessary for the Board to have proper and full information as to all embargoes, no matter for what cause the embargoes are placed. The result on traffic, of course, is the same—it does not move, and the Board should know why it is not moving, and be armed with sufficient information to enable embargoes to be cancelled just as soon as such cancellation is possible, or to determine whether the Canadian carrier should not route traffic by another line. The traffic situation cannot otherwise be intelligently dealt with.

All embargoes of any kind must, therefore, be reported at once.

In addition to the matter of embargoes, and in view of the special difficulties which have arisen this year owing to unfavourable weather conditions, I am also of the opinion that railway companies should, by wire, advise the Board as to any obstruction on their lines or interference with their facilities which will prevent the usual trend of traffic being carried for a longer period than twenty-four hours. Such telegrams to state fully the nature of the trouble—the steps being taken to remedy it, and the time when the line should again be open.

Assistant Chief Commissioner Scott and Commissioner McLean concurred.

APPLICATION MADE BY THE CITY OF WINDSOR, ONT., FOR AN ORDER AUTHORIZING AND DIRECTING THE CONSTRUCTION OF A SUITABLE LEVEL CROSSING OVER THE TRACKS OF THE MICHIGAN CENTRAL RAILWAY COMPANY AT THE INTERSECTION OF THAT COMPANY'S RIGHT OF WAY WITH WYANDOTTE STREET, WINDSOR, ONT.

Judgment, Chief Commissioner Drayton, February 24, 1916:

This case has been before the Board on different occasions. In the first instance the question of crossing at this point was considered by the late Chief Commissioner, Mr. Justice Mabee, and Dr. Mills.

A view of the locality was taken by the Board as then constituted, and a direction was subsequently made allowing the city to extend Wyandotte street, but on the condition that the city should construct and maintain an overhead bridge across the tracks of the Michigan Central Railway; and a formal Order was issued on the 19th of April, 1910, carrying the Board's direction into effect.

The right of the city to extend Wyandotte street over the company's tracks by way of this bridge was limited to a period of four years; so that its rights thereunder expired on the 19th of April, 1914.

After this Order had lapsed, the city made a further application for a level crossing, which was resisted by the railway company.

This application was heard on the 13th of March, 1915. At the conclusion of the case, the city was authorized to extend Wyandotte street by means of a bridge, as permitted in the former Order, the application for the level crossing being dismissed on the grounds stated in the oral judgment then delivered.

The Corporation has again applied for a level crossing, on the ground that the construction of a bridge would be so expensive that it was impossible for the corporation to build it, the solicitor's letter showing that council had made inquiries of bridge specialists in Toronto and had ascertained that if a bridge was to be constructed over the Michigan Central railway at the point in question without a lowering of the grade of the railway track, the cost would be between $250,000 and $300,000, over and above the cost of making necessary changes in the grade on Wellington avenue and Cameron street

The Board has made a further investigation. It appears that the Michigan Central now have on its right of way two tracks at the point in question—they are some distance apart. If these tracks are brought together and constructed at 13-foot centres, and so that they will be contained in the one span of 30 feet, the cost should not be at all excessive.

The Board's Chief Engineer, Mr. Mountain, has gone carefully into the question of cost. In his view, the bridge and approaches can be constructed for about $35,000. The Order must stand.

Owing to the present condition of finances, the Board, however, has given effect to the city's application for a temporary crossing over the tracks for pedestrians only, the city appointing its watchman to protect this traffic. This temporary right was given, pending the investigation as to costs that the Board has been making; and, under the expressed terms of the railway's consent and the city's application, the said rights were to terminate just as soon as the main question was determined by the Board, and were to expire in any event on the 31st day of December, 1916.

In view of all the circumstances—the state of finances and the care with which the pedestrians are being protected—the temporary Order will be continued until the 31st of December, 1916, although the main issue is now determined.

Mr. Commissioner Goodeve concurred.

ELLIS V. GRAND TRUNK RAILWAY COMPANY *re* SIDING ON ST. CLAIR AVENUE, TORONTO.

Judgment, Chief Commissioner DRAYTON, February 28, 1916:

This is an application made by Mr. William Ellis for an Order requiring the construction of a siding from the Grand Trunk Railway into his premises on St. Clair avenue, Toronto, Ont.

The application is supported by the railway company, but is objected to by the City.

The case came on for hearing at a sitting of the Board held in Toronto on the 21st instant.

It appears that Mr. Ellis, before opening up his coal and wood yard on St. Clair avenue, first saw the officials of the Grand Trunk, who were quite willing that the siding as required should be laid; and that, not anticipating any difficulty with the City, he leased the premises and has spent a considerable sum of money in constructing the necessary buildings and plant, and is now carrying on his business at large and unexpected expense owing to the absence of the spur.

The applicant further points out that the main line of the Northern Division of the railway now crosses St. Clair avenue, and that the siding proposed to cross that avenue adjacent to the present track would not create an added inconvenience or danger.

The applicant also claims that it would be dangerous to run the siding from the north, as there is a considerable down grade.

The railway company entirely endorses the applicant's position.

At the hearing, the Board was of the view, that having regard to the importance of St. Clair avenue as a thoroughfare, on the one hand, and the business of the applicant, on the other, the Board's discretion must be exercised in refusing the application; but judgment was reserved, to enable the Board's Engineer to examine the locus, with a view to ascertaining whether or not the siding required could not be constructed from the north, so as to obviate any crossing of St. Clair avenue.

This view has been had, and it is not only possible, but entirely feasible to provide siding accommodation from the north.

The only apparent objection to the construction from the north instead of from the south would seem to be that siding accommodation could not be extended with a view to future industrial development as efficiently and economically.

The importance of St. Clair avenue is entirely sufficient however, to justify whatever inconvenience or loss to the railway the construction of the siding from the north may entail.

The applicant's premises can be served by the construction of a spur running to any point 500 feet north of St. Clair avenue. No explicit directions, however, are now given as to the spur.

The Grand Trunk Railway Company will be required to file a plan showing siding accommodation for the applicant connecting with its railway at a point north of St. Clair avenue. Should any differences arise on this plan, the matter can then be better dealt with by the Board than on the present plan submitted.

Assistant Chief Commissioner Scott and Mr. Commissioner Goodeve concurred.

IN THE MATTER OF UNMARKETED AND UNSTORED GRAIN IN THE SO-CALLED GOOSE LAKE DISTRICT, SERVED BY THE LINES OF THE CANADIAN NORTHERN RAILWAY COMPANY, AND THE TRANSPORTATION THEREOF.

Judgment, Chief Commissioner DRAYTON, March 4, 1916:

The Board is advised that Bill No. 47, as passed by the House of Commons, March 1, 1916, has been adopted in the Senate without amendment.

The duty is cast upon the Board, in view of the admitted congestion in the Goose Lake district, to take immediate action under it.

There is no issue whatever which requires the taking of evidence or the consideration of any submissions as to the facts.

In co-operation with the Grain Board, the Railway Board has had the question of the movement of grain up with the different railways from time to time.

The first complaint as to the situation in the Goose Lake district was made in October, and the matter was then taken up by the Board's Inspector with Mr. Murphy and Mr. Brown, of the Canadian Northern Railway Company; and, on the 6th of November, Mr. MacLeod, the general manager of the railway, was telegraphed that at

that time the elevators were already largely filled, if not to capacity, and his personal attention and distribution of cars was required. On the 8th of November, Mr. MacLeod wired that he expected to send in the next 24 hours 250 empty box cars to Goose Lake points; and on the 9th he was advised that, while that supply would help the situation, from the information on hand it would take more than this to really catch up, and that particular attention should be given to the demands of the district, owing to the fact that storage capacity had been practically all taken up, leaving an immense amount of grain which at that time could neither be stored or forwarded.

On November 15, the Board's Inspector advised that the railway company had supplied in the district in question from November 8 to 13, inclusive, 204 cars, leaving, however, still a shortage in the district of 1,500 cars. The Board's Inspector continued to press for a larger delivery.

The Board sent its Chief Operating Officer, Mr. Spencer, to the West, with instructions to see that everything was done that possibly could be done by the railways to facilitate the movement both of empty and of loaded cars.

Early in January the line was blocked by snow, and the haulage of wheat practically stopped. As it became necessary for the Board to concentrate its whole energy in seeing that districts in the West, many of which were suffering from an acute shortage of coal, should be supplied with coal at the earliest possible moment, considerable time was lost in connection with this matter. Weather conditions were very unfavourable—the extreme cold occasioning a scarcity of water along the whole line, and rendering it very difficult to get any proper service from locomotives.

In addition to local difficulties, the situation was further complicated by embargoes, which largely obtained from time to time practically at all American ports from which grain could be exported, and to a limited extent to movements to St. John.

While in the West, Mr. Spencer took up with the company's manager, Mr. Warren, the question of the amount of grain which the company had yet to handle.

The figures given by Mr. Warren to Mr. Spencer applicable to the Goose Lake district, which includes not only the line from Saskatoon to Calgary, but also the Delisle-Elrose branch, show that the company estimated that thirteen million bushels of wheat and two million bushels of other grain remained still to be hauled from the district. Mr. Warren's estimate showed that the grand total of grain yet to be hauled by the company amounted to eighty-nine million bushels.

In response to a wire as to the situation in this connection, Mr. McLeod wired the Board on February 15 that wheat shipments had been made since the estimate so as to reduce the amount of wheat still left in the district to 11,732,000 bushels, and 1,945,000 bushels of other grain, or a total of 13,677,000 bushels of grain in the Goose Lake district requiring transportation.

I am of the opinion that the company did its best to move the crop during the past season. It gave the Goose Lake district every consideration that it could bearing in mind the demands of other districts served by its system. It can do no better now, and it is doubtful if it can do as well.

The company's estimate was confirmed by Mr. Selanders, the secretary of the Saskatoon Board of Trade, who at the commencement of the movement wrote drawing the Board's attention to the situation in the Goose Lake district, and who since advised that a conservative estimate of grain still to be hauled out of the Goose Lake district would amount to 60 per cent of the crop.

The attitude of the Grain Commission is entirely to the same effect. Indeed its figures as to the grain available somewhat exceed those of the company. The fact of congestion and danger of deterioration and loss of grain has also been endorsed by the Honourable Mr. Motherwell, Minister of Agriculture for Saskatchewan, and by a deputation of those interested in the district, headed by Mr. McColl, of Chinook, subsequently reinforced by the Honourable Mr. Marshall, Minister of Agriculture for Alberta, and Mr. Buchanan, M.P.

No useful object can be served by an inquiry, resulting as it would in delays and defeating the object of the Bill. The company admits the situation. There can be and is no doubt as to it or its urgency.

An Order should now go carrying into effect the recent legislation, and requiring the Canadian Northern Railway Company to forthwith place 1,200 grain cars in the Goose Lake district and 36 locomotives. These cars and locomotives must be retained in that district until further order, and be employed in carrying grain either to the terminal elevator at Saskatoon and there making deliveries, or to transfer tracks at Saskatoon, whereby connection is made between the lines of the Canadian Northern and those of the Grand Trunk Pacific.

The Order will also require the Grand Trunk Pacific Railway Company, which has at the present time idle cars and locomotives in the West, to use all available cars and locomotives in taking grain from the Saskatoon elevator to eastern points.

In so far as deliveries are made by the Canadian Northern into the elevator, there is no difficulty whatever in the company keeping these cars in the districts and immediately returning them. In so far as deliveries are made to transfer tracks, the Grand Trunk must in return for each car transferred supply the Canadian Northern an empty box car in lieu thereof, so that at least 1,200 grain cars will be at all times engaged in the movement.

As already intimated, the movement will continue until further Order. This Order will not go until such time as the Grain Commission advises that there is no longer danger of loss of unstored and unprotected grain in the district, or until such time as the Saskatoon elevator has been filled and the Grand Trunk is unable to remove from the transfer tracks grain carried by the Canadian Northern from the district.

The companies are required to agree as to the proportionals of the rate, which must not be increased. The proportionals should be such as will give the Canadian Northern an increase over the ordinary rate per mile which a pro rate on the through movement would yield over the Canadian Northern mileage into Saskatoon.

These proportions are to be agreed to within a week; and, in the absence of agreements arrived at between the parties by that time, will be then settled by the Board on such advice and submissions as either railway company desires in the meantime to submit.

Assistant Chief Commissioner Scott and Mr. Commissioner McLean concurred.

APPLICATION OF THE CANADIAN NORTHERN RAILWAY COMPANY UNDER SECTIONS 317 AND 334 FOR AN ORDER DIRECTING THE GRAND TRUNK RAILWAY COMPANY TO INTERCHANGE FREIGHT TRAFFIC WITH THE CANADIAN NORTHERN RAILWAY COMPANY AT NORTH BAY ON AN EQUALITY WITH THE CANADIAN PACIFIC RAILWAY COMPANY.

Judgment, Chief Commissioner DRAYTON, March 9, 1916:

This application was heard at a sittings of the Board held in Ottawa on January 25, 1916, Hon. F. H. Phippen, K.C., appearing for the Canadian Northern Railway, and W. C. Chisholm, K.C., for the Grand Trunk.

The questions involved are of great importance to the companies interested, the Grand Trunk being particularly desirous of maintaining its traffic connections afforded by the Temiskaming & Northern Ontario from North Bay to Cochrane, by the Transcontinental from Cochrane to Winnipeg, and the lines of the Grand Trunk Pacific from Winnipeg west; and, apart from any other consideration, the Grand Trunk is, of course, interested, and vitally interested, in the future of the Grand Trunk Pacific.

On the other hand, the Canadian Northern is equally interested in transferring freight to Grand Trunk points in Ontario at such a point as will enable it to get the benefit of the long haul on the traffic that it originates, and to obtain its share of the benefit of Grand Trunk construction in Ontario, and to be able to compete with other western carriers for traffic originating on lines of the Grand Trunk in that district.

The section particularly relied on by Mr. Phippen is Section 317, and in particular Sub-sections 1, 2 and 4. The sections read as follows:—

> "All companies shall, according to their respective powers, afford to all persons and companies all reasonable and proper facilities for the receiving, forwarding and delivering of traffic upon and from their several railways, for the interchange of traffic between their respective railways, and for the return of rolling stock.
>
> "2. Such facilities to be so afforded shall include the due and reasonable receiving, forwarding and delivering by the company, at the request of any other company, of through traffic, and, in the case of goods shipped by car load, of the car with the goods shipped therein, to and from the railway of such other company, at a through rate; and also the due and reasonable receiving, forwarding and delivering by the company, at the request of any person interested in through traffic, of such traffic and through rates.
>
> "4. Every company which has or works a railway forming part of a continuous line with or which intersects any other railway, or which has any terminus, station or wharf near to any terminus, station or wharf of any other railway, shall afford all due and reasonable facilities for delivering to such other railway, or for receiving from and forwarding by its railway, all the traffic arriving by such other railway without any unreasonable delay, and without any such preference or advantage, or prejudice or disadvantage as aforesaid, and so that no obstruction is offered to the public desirous of using such railways as a continuous line of communication, and so that all reasonable accommodation, by means of the railways of the several companies, is, at all times, afforded to the public in that behalf."

And counsel contends that the mere fact that North Bay is the terminus of the Grand Trunk makes the statute absolutely applicable and entitles the applicant company to an Order as asked, as a matter of strict right.

Mr. Chisholm argues that where there are satisfactory joint rates and joint routes in existence, no other route should be ordered against the protests of a participating carrier, or at the instance of a company which desires resultant greater revenue.

He attacks the financial stability of the Canadian Northern, relying on the action of the Interstate Commerce Commission in declining to force railway companies to have traffic relations with other railways whose stability they did not recognize; and relies on the Board's decision in the case of the Great Northern against the Canadian Northern 11 C.R.C., page 425.

The result of Mr. Chisholm's objections is that the interest of the public must be established before any effect can be given to the application.

The submissions of the Quaker Oats Company showed that the shortage of grain at Peterborough from which they were suffering was ample justification to require the acceptance of Canadian Northern traffic by the Grand Trunk. Order No. 24698 was, therefore, made at the hearing, directing the Grand Trunk to concur in joint freight tariffs which were to be forthwith published and filed by the Canadian Northern, applicable on grain and grain products in carloads from Port Arthur, Fort William, and Westfort to Grand Trunk stations via North Bay, Ont.

A direction was also made that the joint rates were to be the same as those published and filed by the Canadian Pacific from points of shipment to the same destinations, and the grain to be carried was to be accorded milling-in-transit privileges pertaining to shipments received by the Grand Trunk from the Canadian Pacific.

Mr. Chisholm desired the opportunity of taking the question up with the National Transcontinental and the Temiskaming & Northern Ontario Railways; and judgment was reserved on the general issue.

No public interest was established at the hearing in any movement except that of grain and grain products from the west to the east, with the result that the main question, as presented for consideration, is supported by the requirements and interests of the Canadian Northern itself.

Interchange tracks exist between the Canadian Northern lines and those of the Grand Trunk Pacific, the connecting carrier of the Grand Trunk, at different points west of Winnipeg. None of these need be considered. There are also such interchange tracks in Winnipeg and Fort William. The Grand Trunk itself can interchange traffic at North Bay through the interchange tracks of the Temiskaming & Northern Ontario. There are also interchange tracks available to the Grand Trunk and Canadian Northern at James Bay Junction, and different points in Southern Ontario which are not necessary to mention.

So far as the facilities for interchange are concerned, no issue is now raised. The question is as to extending their use and the publication of joint tariffs which will render the movement possible.

An application involving somewhat similar principles was the Muskoka Rates Case. The application there was made by the Canadian Northern against the Grand Trunk and Canadian Pacific Railway Companies, and was made under the same sections as those here invoked.

The application there was an application compelling the Grand Trunk and Canadian Pacific to issue through tickets at through rates from all points on their lines to all points on the Canadian Northern by any junction the passenger wished to take.

The underlying reason of the application was the fact that much of the Muskoka business came through Buffalo and points west of Toronto. The Canadian Northern Railway Company had a line serving the Muskoka district, but being without any western connections, had no opportunity of obtaining any of the Muskoka business originating west of Toronto.

The late Chief Commissioner Mabee, in his judgment dismissing the application in so far as traffic having its origin at Grand Trunk and Canadian Pacific points was concerned, says:—

> "It does not seem to be a reasonable proposition that one railway company should be at liberty to use the Act for the purpose of diverting to its line traffic that has been originated only at great expense and trouble by another railway or other railways, without at least showing a great preponderance of convenience to the public. It must be borne in mind that this application comes from the railway company, and no evidence was given that any inconvenience was being caused to the public from existing conditions, or that there would be any appreciable advantage to the public if the change asked for was granted; and that the change would be for the pecuniary benefit of the applicant railway company is not of itself any sufficient reason for granting the application. Under Section 317, the facilities to be afforded are to be reasonable; the preference or advantage that would be given, or the delay or difference in treatment that may be permitted, is not to be unreasonable; so it is apparent that the whole section is intended to provide for the establishment of fair and reasonable business relations. Is it fair that the applicant should be permitted to make use of the Act to divert from the lines of the Grand Trunk and Canadian Pacific railways at Toronto the tourist traffic that the last-mentioned railways have spent years in developing? That this would be to the advantage of the applicant is clear, but it has not been shown that the public is to any appreciable extent interested. I agree with the argument of the applicant that the physical situation of the railways falls within Sub-section 4; but it has not been shown that any 'obstruction is offered to the public desirous of using such railways as a

continuous line of communication.' I do not agree with the contention that existing conditions must be changed merely because a few and inconsiderable number of people might desire to change at Toronto to the applicant's lines; and I cannot regard it as reasonable or proper that railways should, in the application of this section, be put to serious loss and inconvenience when it is apparent that the real object of the application is not to offer greater facilities to the public, but to enhance the earning powers of the applicant's lines."

This authority was followed by the Board in the Fort William coal case and its principles applied, the Board there stating that its powers under the Railway Act should not be used to divert traffic from the lines of one company to those of another without any benefit to the public.

Mr. Phippen distinguishes the coal case, on the ground that no revenue to the Grand Trunk would be sacrificed, this being the terminus of its line.

While this in one sense is undoubtedly true, as it occurs to me, the Statute makes no difference as to the duties of the companies to provide facilities and joint routes at terminal points as against other points on their systems proper for that purpose.

In any event, however, the effect of these decisions, establishing as they do the manner in which the Board in the past has construed the Statute, is entirely against the contention advanced on behalf of the applicant that the terms of the Statute itself compel railway companies to afford to all persons and companies at all points where an interchange is capable of being made, interchange facilities and joint rates covering any possible movement that might be made over the interchange.

It is, of course, obvious that if the Board could refuse an application under the Section because the objecting company would lose revenue thereby, that the application could be refused on other grounds and that the question is one requiring the exercise of the judicial and discretionary functions of the Board.

It would not be just to the Canadian Northern to refuse the present application, or to carry the principles on which the Muskoka Rates and Fort William Coal cases were adjudicated to their logical conclusions.

There are other questions which must be considered. The rule established by decisions of the Board that the initiating company is entitled to the benefit of the long haul would be entirely disregarded if the application was dismissed in so far as the Canadian Northern is concerned. The effect would be that the Canadian Northern would be obliged to hand over to the National Transcontinental at Winnipeg or to the Canadian Pacific at Port Arthur all traffic originating on its lines in the West destined to Grand Trunk Ontario points intermediate to the transfer tracks at Toronto. The business of the Canadian Northern is entitled to just as much consideration as is the business of the Grand Trunk.

It is necessary for the Board, however, to determine some principle on which these interchange tracks and through rates are to proceed.

The Statute calls for reasonable and proper facilities for the interchange of traffic and for the return of rolling stock. With the large amount of regrettable duplication of railways, it certainly would not be either reasonable or proper that such interchange tracks, involving as they do at least some cost in every instance not only for construction but also for maintenance and operation, should be installed at every point possible; and, if joint rates had to be filed as and when such possible interchange tracks were put in, the only result would be to absurdly duplicate tariffs and add to the cost of railway operation without any resultant benefit to traffic conditions.

North Bay is a point at which the Grand Trunk should interchange traffic with the Canadian Northern. It is also a point of interchange calling for the establishment of joint rates, bearing in mind the general principle that the initiating carrier is entitled to the long haul on its lines, subject to the limitation, which will be rigidly enforced that the resultant joint route is reasonable and practical and involves no back-haul on increased cost to the public.

It occurs to me that in considering the matter of haul, the Grand Trunk and Ontario and Dominion Government lines should be considered as one route.

No formal direction should now be made as to the exact principles on which the joint rates are to be put in. The parties must have an opportunity of making any submissions they desire upon that point; and, in case the bases of division and territories are not agreed to within a fortnight, a hearing will be had at the request of either of the parties to the issue, and the matter determined.

So far as divisions are concerned, the Canadian Northern offered to accept the existing divisions between the Grand Trunk, Temiskaming & Northern Ontario, and Transcontinental. This offer would seem to me to be fair and should be adopted unless sufficient cause to the contrary is shown.

Assistant Chief Commissioner Scott concurred.

DEMURRAGE CHARGES ON PRIVATELY OWNED CARS ON PRIVATE SIDINGS.

Judgment, Assistant Chief Commissioner SCOTT, March 10, 1916:

The Board have been asked to give a ruling on the application of Car Service Rule No. 12 to the following facts.

The Nichols Chemical Company, Limited, of Toronto, owns a number of private cars specially constructed for the transportation of acids. The railway companies pay three-quarters of a cent per mile hauled to the owners of such private cars for the use of the cars. It is contended by the company that the tank cars used for the transportation of acids are different from any other class of cars in that the unloading connections often become corroded and buyers are unable to unload without the assistance of the shippers. The consignees have sometimes to send to the chemical company for men to repair the outlet pipes, they being afraid to allow their own men to make the necessary repairs on account of the nature of the material. The chemical company is, therefore, agreeable to leave its cars with consignees till they can be conveniently unloaded. The cars are unloaded on the private sidings of the consignees.

It was contended by the chemical company that its cars were leased to its consignees till released by the consignee after being unloaded, but I have been unable to get evidence in substantiation of that statement. Where delays over the free time have occurred in unloading, the railway companies have charged the consignee demurrage.

Rule 12 of the Canadian Car Service Rules is as follows:—

> "When both cars and tracks are owned by the same private party, no car service tolls shall be charged."

These cars are not owned by the consignee and therefore are not exempt under this rule from the usual demurrage charges.

The object of the car service rules is not to secure additional revenue for the railways so much as to bring about the prompt release of cars so that they may be available for other shipments. This applies to privately owned cars as well as cars owned by railway companies.

If the contention of the Chemical Company that more free time is required for the unloading of these cars because of the liability of the outlet pipe to corrode is to be pressed, then its application should be to amend the Car Service Rule accordingly.

I think on the present application the parties might be informed that Rule 12 does not exempt the consignees of the Chemical Company from the payment of demurrage.

Deputy Chief Commissioner Nantel and Mr. Commissioner Goodeve concurred.

COMPLAINT OF THE NANAIMO BOARD OF TRADE AGAINST THE PROPOSED NEW CANADIAN PACIFIC RAILWAY TARIFF WHICH ELIMINATES NANAIMO AS A TERMINAL FREIGHT-RATE POINT.

Judgment, Chief Commissioner DRAYTON, March 16, 1916:

Nanaimo for many years has had the benefit of coast terminal rates. This benefit has been taken from it.

As the lower rate was of course entirely out of line and lower than rates fixed as reasonable for the service, the difficulty of ordering the company to restore the old rate was obvious.

On the other hand, there is no doubt that more or less inconvenience and sometimes real hardship results from changes in rates; and judgment was reserved, so that the matter could be looked into with a view to ascertaining whether or not the Board could consistently order a restitution of the rate.

I am unable to find any ground on which such an Order could be based.

The principle that a railway may meet water competition or not just as it pleases is of general acceptance and so well known that it need not be emphasized.

If the railway does not choose to meet the water competition, the Board's whole right to interfere with the rate is confined to a case where the rate as charged is unreasonable for the service rendered.

It is impossible to say that such is here the fact.

It appears that the Canadian Pacific for years maintained its car ferry at Ladysmith, giving Nanaimo terminal coast rates involving a rail movement from Ladysmith to Nanaimo of 14 miles without charge.

The Ladysmith facility was not owned by the company, and in view of the transfer charges which were being exacted, the Canadian Pacific now runs its car ferry to Esquimalt.

The rail haul from Esquimalt to Nanaimo is 69 miles. The result is that to give Nanaimo the benefit of the terminal rate, the Board must say that the Railway Company shall carry Nanaimo shipments 69 miles for nothing.

Of course, if the Railway Company was performing a similar service for nothing for a similar or considerable distance, the Board could order that Nanaimo should get the benefit of this 69 mile haul for nothing, on the ground of discrimination. Such is not the case. The only points enjoying terminal rates being Esquimalt and Victoria, and as Esquimalt, of course, adjoins Victoria, there is no discrimination; and no order can be made.

Judgment, Mr. Commissioner MCLEAN, March 16, 1916:

Complaint is made that effective April 8, 1915, Nanaimo commodity rates from Eastern Canada were increased, by adding thereto an arbitrary of 5 cents per 100 pounds on car lots and 10 cents per 100 pounds on less than car lots, as compared with Vancouver rates. The tariff history in regard to Nanaimo appears to be as follows, as far as it is disclosed on the Board's files: The first Transcontinental tariff shown in the files is one effective January 23, 1904. This showed Victoria and Nanaimo taking terminal rates, no basis being given for other points on the Esquimalt and Nanaimo Railway. The cancelling tariff, which was effective May 6, 1907, showed Victoria and Nanaimo as taking terminal rates, and certain other points on the E. and N. railway taking an arbitrary of 5 cents per 100 pounds in the case of car lots and 10 cents per 100 pounds on less than car lots over these rates.

As has been indicated, on April 8, 1915, Nanaimo was taken out of the list of terminal points receiving commodity rates. The situation is that Victoria and Esquimalt are now the only points on Vancouver Island which are receiving the same terminal rate as Vancouver and the other mainland terminal points in British Columbia.

Since September 1, 1914, class rates have been in effect on the E. and N. Railway on shipments from points in Eastern Canada, which supersede the class rates formerly

shown in the Transcontinental tariffs. These class rates provide a higher basis to E. and N. Railway points, including Victoria, than applies to Vancouver.

At the hearing, the applicant stated that the geographical situation of Nanaimo was such as to entitle it to be a distributing point for Vancouver Island for all commodities shipped over the Canadian Pacific Railway. It was contended that it was more advantageous to the railway company to deliver goods to Nanaimo, as this cut out an additional rail haul; and it was stated that with the opening up of the Esquimalt and Nanaimo Railway to Courtenay and Alberni, Nanaimo occupied a much better situation as a distributing point than Victoria.

The railway company dealt with the matter as being one concerned with water competition alone. It was stated that the rates to Vancouver and Victoria from Eastern Canada were made in competition with the water rates; and it was set out that the railway companies might exercise their own discretion as to whether this competition should or should not be met.

It was stated that the competition at Nanaimo was of a different character from that at Vancouver and Victoria. There were no direct sailings via Panama to Nanaimo. The tonnage handled to Nanaimo via ocean vessels was pointed out as being much less than to Victoria.

As to the contention that Nanaimo had an excellent position from the standpoint of distribution, the railway company treated this as a matter which had not so far been proven by results.

It was admitted by the railway company that the freight movement into Nanaimo was not relatively less than it had been hitherto. The representative of Nanaimo stated that the ships calling at Nanaimo did not handle full cargoes for that port. He quoted the Custom House officials as saying that three-quarters of the foreign shipping touching Nanaimo had not called at Vancouver or Victoria, and that one-quarter of the foreign shipping calling at Nanaimo was not entered at Nanaimo, because it had first touched at Vancouver or Victoria. The statement submitted by him shows the following information as to vessel movements:

Arrived Foreign.

Year.	No.	Tonnage.
1910	338	297,516
1911	320	243,123
1912	375	291,308
1913	169	86,290
1914	329	206,025

The falling off in the years 1913 is explained by the fact that it was the year of the strike.

The following figures as to the coastwise tonnage arriving were also submitted:—

Arrived Coastwise.

Year.	No.	Tonnage.
1910	2,663	667,705
1911	2,540	769,213
1912	3,078	746,597
1913	1,939	643,498
1914	2,296	659,829

A statement from the Customs Department as to the entries at Nanaimo direct from foreign ports was also filed. As already pointed out, it was stated that full credit was not given to Nanaimo on account of the fact that a considerable portion of the entries came indirectly through such ports as Vancouver and Victoria. The figures given showed the following summaries for tonnage entered:—

1910	7,319
1911	4,443
1912	9,126
1913	7,356
1914	5,282

The material question is the effect of water competition. The Board has on many occasions set out the effect of this on rates. The rulings hitherto made by the Board are *set out in summary form in Blind River Board of Trade v. Grand Trunk, Canadian Pacific Railways, Northern Navigation and Dominion Transportation Co's., 15 Can. Ry. Cas., 146.* Therein, at page 156, in referring to the fact that a rate based on water competition had for a time been operative at Blind River and thereafter removed, the following language was used:—

> " . . . this in no way limits the right of the railway to take out this rate when the water competition becomes less effective, or even when the railway no longer desires to meet it."

It is the privilege of a railway company, in its own interest, to meet water competition. The railway company is not under obligation to meet water competition unless it so desires. *Canadian Oil Co's v. Grand Trunk, Canadian Pacific and Canadian Northern Ry. Co's., 12 Can. Ry. Cas., 361.*

Canadian Pacific Railway tariff No. E-2994, issued April 15, 1915, effective June 1, 1915, sets out terminal rates as well as the points to which the arbitraries of 5 cents and 10 cents over terminal rates, as above referred to, apply. This tariff carries an extensive list of commodities extending from advertising matter to telephone wire and electric light cables, covering in all some 1,044 items. It also carries a table of special commodity rates covering some 108 items.

The statement filed by applicant at the hearing showed the following detail from the Customs Department, as to the nature of the inward tonnage by the vessels already referred to:

1914.

2,090	tons	fuel oil, in 5 separate shipments.
600	"	nitrate.
914	"	salt, in 3 shipments.
52	"	distillate.
34	"	wood-pulp.
125	"	barley, wrapping paper, flour, apples.
235	"	coal (bituminous).
50	"	barley.
84	"	general freight, apples, blacksmith coal.
42	"	paper, glycerine.
37	"	glycerine.
9	"	nitro-cellulose.
6	"	wheat.
4	"	general freight.
4,282	"	

It is impossible accurately to check this against the list of commodity articles, on account of the bulking of various articles in one item, *e.g.*, "General Freight, Apples, and Blacksmith Coal." But taking all items, any one of which carries a commodity rate under the tariff, we have the following items to be considered: salt, barley, wrapping paper, flour, apples, general freight, blacksmith coal, paper, and glycerine; these giving a total of 1,169 tons, or 27 per cent of the tonnage represented. As already explained, certain of the items bulked under general descriptive items are not covered by commodity rates, *e.g.*, blacksmith coal, glycerine.

A more extensive list is given for the year 1913:

2,498	tons	fuel oil, 9 separate shipments.
500	"	nitrate.
650	"	nitrate.
2,403	"	salt, 7 shipments.
102	"	hay.

40	"	wood-pulp.
24	"	paper.
60	"	fruit and rough lumber.
20	"	wood-pulp.
17	"	fruit.
35	"	gasolene.
42	"	coal.
850	"	nitrate.
29	"	fruits, etc.
150	"	hay.
34	"	paper.
50	"	barley.
12	"	fruit, etc.
40	"	wood-pulp.
7,556		

Subject to what has been set out under the previous table, the items of salt, paper, fruit, and rough lumber may be set out as being covered by items in the commodity tariff. These give a total of 2,617 tons, or 33 per cent.

It is stated that in the years 1910, 1911, and 1912, for which no detail statistics are furnished, there was a considerable amount of cement brought from San Francisco and hay from Puget Sound points. Neither of these articles is covered by commodity rates.

It has already been pointed out that applicant claims that the entries at Nanaimo are not sufficiently characteristic, in that a very considerable portion of the business carried to Nanaimo by ocean tonnage does not go direct to Nanaimo but goes via either Vancouver or Victoria. This is equivalent to saying, however, that on a considerable portion of the business either ocean competition is not effective, or in so far as it is effective it is reflected in the Vancouver rate or in the Victoria rate. The tables supplied show that the direct waterborne traffic to Nanaimo is for the most part composed of heavy and bulky goods, for the greater part of which the railway company does not compete since it does not carry the items in its list of commodity rates from eastern Canada.

The railway company pleads that there has been an increase in ocean competition since the opening of the Panama Canal, and that Nanaimo is not in a direct line of such competition as are Vancouver and Victoria. It is stated, further, that vessels by the Panama route are not plying direct to Nanaimo.

Nanaimo has had the advantage of the terminal rate for a long time. When Nanaimo was granted the same terminal rate as Victoria, no doubt there were differences between these points in respect of ocean tonnage and water competition. No doubt ocean competition has varied from time to time, but the railway company saw fit to disregard these factors, as well as the factor of additional distance, and to maintain these two points on a parity.

Normally, where water competition is not a controlling factor, it has been recognized that where a rate has been in existence for a considerable period of time the continued duration of the rate is a factor for a regulative tribunal to consider.

The situation in connection with water competition is different. It is open to a railway company to compete with water transportation or to refrain from it; and so, notwithstanding the fact that a rate adjustment whereunder Nanaimo had the advantage of a terminal rate has existed for a long period of years, the railway company is entirely within its rights, under the Railway Act, in abrogating this arrangement. It may be that with increasing water competition, the railway company may decide to re-install the terminal rate; that is a matter within its discretion. The Board having no power to compel a railway company to meet water competition has no power to compel it to install a terminal rate, nor has it power to compel it to continue a terminal rate which the railway company has already established and desires to take out.

COMPLAINT OF MESSRS. HUNTING-MERRITT LUMBER CO., VANCOUVER, B.C., AGAINST REFUSAL OF THE BRITISH COLUMBIA ELECTRIC RAILWAY CO. TO HANDLE CARS WHEN SUCH CARS ARE TO BE DESTINED TO OR FOR FURTHERANCE VIA GREAT NORTHERN OR NORTHERN PACIFIC RAILWAYS MAKING IT IMPOSSIBLE FOR THE COMPLAINANTS TO GET EQUIPMENT TO LOAD AT THEIR MILL AT EBURNE, B.C., OTHER THAN CANADIAN PACIFIC RAILWAY.

COMPLAINT OF THE HUNTING-MERRITT LUMBER COMPANY, LTD., OF VANCOUVER, B.C., ET AL, REGARDING 1 CENT PER 100 POUNDS OVER VANCOUVER RATES WHICH COMPLAINANTS HAVE TO PAY ON SHIPMENTS OF LUMBER AND SHINGLES MOVING FROM EBURNE TO POINTS IN CANADA AND THE UNITED STATES.

Judgment, Mr. Commissioner McLEAN, March 28, 1916:

Complaint is made regarding the existing rate basis on shipments of lumber and shingles from Eburne, B.C., to points in Canada and the United States. The rate basis complained of is one whereby the rate from Eburne is one cent over the Vancouver rates. The application which was launched by the Hunting-Merritt Lumber Company of Canada was supported by the Lulu Island Shingle Company, Limited, the Eburne Saw Mills, Limited, Canadian Cedar Lumber Company, and the Schull Lumber & Shingle Company.

The mill of the Hunting-Merritt Company is situated on the Lulu Island Branch of the British Columbia Electric Railway. The Vancouver & Lulu Island Railway, which is referred to, is owned by the Canadian Pacific, but is leased to the British Columbia Electric Railway Company. The mill of the applicant at Eburne is 10½ miles from Westminster. The Schull Lumber & Shingle Company's mill is at Boundary Road, 5½ miles from Westminster. The traffic is delivered to the Canadian Pacific at Abbottsford, 45 miles from Boundary Road and 50 miles from Eburne.

The applicants complain of having to pay higher rates than are charged to the mills in Vancouver, Victoria, Seattle, Everett, Tacoma, and Portland. As to the rates charged, the mills in Seattle, Everett, Tacoma, and Portland are on lines over which the Board has no jurisdiction.

The comparison, if any, must be made with Vancouver or Victoria.

It is, further, claimed by the applicants that they can ship from points on Vancouver Island to Toronto at a less rate than from Eburne. The shipments from Vancouver Island, however, pay 1½ cents over the Vancouver rate. Various points above mentioned by the applicants to which coast rates are given are subjected to competition, and the Canadian Pacific meets at these points the rates of the Great Northern and Northern Pacific.

The Board has recognized in various cases that a slightly higher rate basis is justifiable from branch line and lateral line points than from adjacent main line points. *Almonte Knitting Co.* v. *C.P.R. and M.C.R. Co.'s 3 Can. Ry. Cas., 441; Malkin Sons* v. *G.T.R. Co. 8 Can Ry. Cas., 183*; *Complaint of Herbert Oyler, Kentville, N.S., File 14126.3.*

In dealing with the question of lumber rates in British Columbia at various points, the Board in its Orders has directed rates built up on certain arbitraries at basing point rates. The following may be referred to:—

No. 1863, October 13, 1906, from points on the Nelson & Port Sheppard Railway (G.N.R.) at 2 cents over the Canadian Pacific Railway rates from Nelson; G.N. allowed 4 cents for 35 miles, C.P.R. to absorb 2 cents.

No. 20912, November 25, 1913, from Great Northern stations between Vancouver and Westminster at 1 cent per 100 pounds over the rates of the CP.R. from Vancouver; G.N.R. allowed 2½ cents for 8 miles, C.P.R. to absorb 1½ cents.

No. 16225, October 3, 1912, from points on the Vancouver Fraser Valley & Southern (one of the British Columbia Electric properties) at 1 cent over the

Vancouver rates; British Columbia Electric allowed 2½ cents for an average distance of 7½ miles, C.P.R. to absorb 1½ cents.

No. 23332, February 23, 1915, from Western Ontario Power Company's Railway (Stoltze Mfg. Co.'s Mill) at 2 cents over Vancouver; the Power Co. receiving 3 cents and the Canadian Pacific Railway absorbing 1 cent.

As above indicated, the Board by its Order 16225 of October 3, 1912, directed that from points on the Vancouver, Fraser Valley and Southern Railway the rate of 1 cent over Vancouver rates should apply. The Vancouver, Fraser Valley and Southern Railway Company being under Dominion charter is subject to the Board's jurisdiction. The average distances to which this 1 cent arbitrary applied are substantially the same as in the present application, and the rate bases which the Board directed for the Vancouver, Fraser Valley and Southern have been voluntarily applied by the railway to shipments from the Lulu Island line. The same rate basis also applies from points on the Vancouver, Victoria and Eastern.

On this traffic, the Lulu Island line received 6 cents, of which the Canadian Pacific Railway absorbs 5 cents; that is to say, the Canadian Pacific Railway on this joint traffic earns 5 cents less than on its own traffic from Westminster.

The existing rate basis is in harmony with what the Board found reasonable in its Order 16225, and is in accordance with the general principle which the Board has recognized as properly applicable in the case of branch and lateral line movements of lumber in British Columbia. The adjustment is not unreasonable.

Another phase of the complaint is concerned with the question of car supply. It is stated that the British Columbia Electric refuses to accept Great Northern and Northern Pacific cars for loading from points on the Vancouver and Lulu Island Railway destined to territory in the United States, competitive with the Canadian Pacific and its connections. It is alleged that this is controlled by an agreement between the British Columbia Electric and the Canadian Pacific.

The Hunting-Merritt Company states on account of the demand of its business it is desirous of making use of the 40-foot cars. The Great Northern and Northern Pacific have a supply of 40-foot cars.

The 36-foot car is the standard box car of the Canadian Pacific. The applicants load 300,000 shingles into a 40-foot car, while they can load about 260,000 into a 36-foot car. This car has a minimum of 30,000 lbs., and it will carry on an average 35,000 lbs. A 40-foot car, was stated by Mr. Lanigan to have a minimum of 41,000 lbs.

It is stated by Mr. Merritt that the standard car in shipments to Canada, in general, would be the 36-foot car. The average shipment was stated by Mr. Merritt to be about 34,000 lbs. The witness stated that it was hard to say just what per cent of the business called for a larger car. It would appear that where the larger car is used, it is a question of trade convenience; and it further appears that competitors of the applicants located on the line of the Canadian Pacific are, in general, dependent upon the 36-foot cars.

The evidence shows that the Canadian Pacific furnishes a 40-foot car when it is able to do so, but that the car upon which the main reliance is placed is its standard box car of 36 feet. This is a general purpose car.

Railways are required by the Railway Act to supply adequate and suitable accommodation for the carrying, unloading, and delivering of traffic. The obligations of railways in this respect are, by Section 317, stated to be "according to their respective powers."

Where the railway is called upon to supply a car which is not carried on its equipment register, it is within its powers in supplying a car on its equipment register which is nearest available to the length asked for.

Request of the Kootenay Shingle Co., Ltd., of Salmo, B.C., for a ruling of the Board with reference to claim against the Great Northern Railway Co. on shipment of shingles on which car of size ordered was not supplied by the railway company. File 26018.

While the railway may, when foreign cars, of larger sizes than are carried on its equipment register, are available, furnish such cars, and while the evidence indicates that this is done, the obligations of the railway in respect of supplying cars being as above indicated, the Board has no power to compel it to supply a larger car of foreign equipment.

Chief Commissioner Drayton concurred.

CITY OF VANCOUVER *v.* VANCOUVER, VICTORIA AND EASTERN RAILWAY AND NAVIGATION COMPANY *re* CONSTRUCTION OF FREIGHT AND PASSENGER TERMINAL AS PROVIDED BY AGREEMENT, DATED MAY 16, 1910.

APPLICATION OF THE VANCOUVER, VICTORIA AND EASTERN RAILWAY AND NAVIGATION CO. FOR APPROVAL OF REVISED PLAN SHOWING FREIGHT AND PASSENGER TERMINAL (VANCOUVER DEPOT) AT VANCOUVER.

Judgment, Chief Commissioner DRAYTON, March 31, 1916:

Application was made by the City of Vancouver under Section 26a, for an Order directing the Vancouver, Victoria and Eastern Railway and Navigation Company to commence the construction of its freight and passenger terminal as provided by the agreement made between the city and the company and dated May 16, 1910.

The application was heard at the sittings of the Board in Vancouver on June 1 and 2, 1915, and Order No. 23881 was made.

Under this Order, the company was directed to submit for the approval of the Board within six months, detail plans showing the new location, the work to be completed by the first day of June, 1917. The company was also directed to proceed forthwith with the filling necessary for the purposes of construction.

Detail plans of the station and facilities were filed with the Board in due course; and, on December 23, 1915, Order No. 24539 was issued approving these detail plans.

On February 10, 1916, the company wrote stating that the city had requested it to move its station 100 feet east from the point shown on the approved plan; and stated that the company was satisfied to make the change, and desired that the existing order should be amended accordingly.

On the 18th of February, Messrs. Pringle and Guthrie wrote on behalf of the City of Vancouver, advising that a resolution had been passed by the City Council on February 17 to the effect that the City of Vancouver apply to the Board for an Order directing the Vancouver, Victoria and Eastern Railway Company to establish the location of the railway company's passenger depot on False creek at a point 375 feet east of the easterly line of Main street. Messrs. Pringle and Guthrie at the same time stated that plans in connection with the application would follow immediately.

On February 29, Mr. Haydon, acting for the company, submitted a revision of the plan, which he stated he understood was in pursuance with the wishes of the City of Vancouver, and asked for the necessary order.

On March 16, Messrs. Pringle & Guthrie filed the plans and descriptions to supplement the application made for the City on February 18.

The plan submitted by the city dealt with other properties and was not a proper plan on which work could well proceed; and Messrs. Pringle & Guthrie were, therefore, written to on March 18 that the only proper plan showing the proposed alterations was the plan submitted by the company, and which the company stated had been withdrawn to give effect to the desires of the city as to the location of the station.

Hon. Sir Charles Hibbert Tupper in the meantime intervened, desiring a rehearing and that the present order should be varied, but that it should be varied by directing the construction of the station at the corner of Prior street and Park lane. Messrs. Pringle & Guthrie were advised that the Board desired to know whether the city wished an order to go on the plan submitted by the Great Northern, the effect of which was to place the station at a point 375 feet back of Main street; and also that the city should state its attitude on the request of Sir Charles Hibbert Tupper.

On March 27, Messrs. Pringle & Guthrie forwarded a telegram from Vancouver reading in part as follows:—

> "Original agreement provided location and station Prior and Park lane. By agreement with company and by order of Board, June 22, 1915, the location of station altered so as to adjoin Canadian Northern Grant further to the south and 300 feet from May street. By further agreement with company location station altered so as to be 75 feet further to the east, southerly boundary of station remaining as specified in order. The city only consents to alteration of plan so far as it respects the location not as regards the construction or layout. Has not consented any further than above specified. If the effect of order asked is only to leave the station on the altered location 375 feet back from Main street and adjoining Canadian Northern grant that will satisfy the city. City desires that application of Sir Hibbert Tupper asking that site of station be changed back to Prior and Park Lane should not be granted."

There was in the first instance, delay in arriving at definite and necessary details as to the construction of the station. Although the agreement was entered into in May, 1910, nothing appears to have been done under it apart from the acquisition of property, some filling in, and the erection of some railway lines, until the city's application in June, 1915, as a result of which the duties of the company as to location, type of station, and construction have been made definite.

It would appear that nothing could be served by a rehearing, and delay in connection with the present application for a change of location would merely delay the construction of the station.

This whole station question is somewhat involved, however, and it is necessary to refer to the documents and the position of the parties.

Paragraph 3 of the agreement of May, 1910, reads:—

> "The Railway Company will construct a union passenger station at or near the intersection of Park lane and Prior street."

In paragraph 6, the agreement proceeds as follows:—

> "The passenger station so to be erected by the railway company shall be designed for a union passenger station so that the Great Northern Railway Company, the Northern Pacific Railway Company, the Grand Trunk Pacific Railway Company, and the Canadian Northern Railway Company, or any other railway company, if they shall hereafter build railway lines into the City of Vancouver, can obtain joint use thereof upon such terms as the Board of Railway Commissioners may deem reasonable, necessary and just, based upon the expenditure made by the railway company in connection with the acquisition of lands fronting on False creek, together with interest and cost of reclamation, and building and cost of maintenance and upkeep of such terminals."

So as to obviate any difficulty in the use of the station as a union station and to provide for the use of the approaches by other railways, paragraph 12 of the agreement is as follows:—

> "The railway company consents to any Order of the Board of Railway Commissioners that may be necessary for the purpose of allowing the lines of

any other railway company to cross their tracks for the purpose of obtaining access to the said union passenger station, or to those portions of the bed of False creek, owned by the city. The railway company admits that circumstances exist which warrant the Board of Railway Commissioners for Canada in making an order under section 176 of the Railway Act regarding the use of its railways from a point in Hastings townsite at or near Still Creek siding to a connection with the union station and to the easterly boundary of the city's property on False creek, and further agrees not to create conditions which will in the opinion of the Board of Railway Commissioners prevent any such necessary order being obtained."

The section 176 in the above paragraph referred to, is the section of the Act which enables the Board to order the use of the tracks, property, etc., of one company by another.

At the sitting, the agreement of February 9, 1911, between His Majesty The King, in right of the province, and the railway company, was filed.

This agreement deals with a similar subject matter to the agreement of February, 1910, changing it in certain particulars, some of which need not be here mentioned.

The question of the station, however, is dealt with by paragraph 2 of the agreement of the Crown, the portion of which pertinent to the present issue reading as follows:—

"The railway company shall develop, construct, and erect on the north side of False creek within five (5) years from the date of the passage of an Act of the Legislative Assembly of British Columbia confirming this agreement, union passenger terminals and station, at a cost of not less than five hundred thousand dollars ($500,000), such station to be located near the intersection of Park lane and Prior street, in the city of Vancouver. Such terminals and station shall be so designed and constructed as to be suitable for the use of Vancouver, Victoria and Eastern Railway and Navigation Company, and such other railway companies as shall hereafter build railway-lines into the City of Vancouver, or enter over the lines of the railway company, and such other railway companies shall be entitled to the joint use of said terminals and station to the extent of the reasonable capacity thereof, upon the payment of a just and reasonable compensation for said use."

This agreement further provides for joint use by obligating, should the Lieutenant-Governor in Council so desire, the company to provide reasonable and convenient access to its freight yards on False creek, so that other companies may enter the same for the purpose of placing cars on a suitable transfer track to be provided therein, and to allow the freight of other companies to be handled through its freight sheds, and also to allow access by other companies to its freight sheds for the receipt and delivery of the freight of such other company. Other provisions are made providing for joint user which are not necessary to set out.

Both agreements are validated by chapter 55 of the Provincial Acts of 1911—the agreement of the Crown being absolutely confirmed, and the agreement of the city confirmed in all respects, except only as to those matters wherein the agreement is modified or extended by the agreement of the Crown, and the provisions of the agreements are to be taken as if they had been expressly enacted by the validating Act and formed an integral part of the Act.

Under the agreements, the railway company obtained the northern portion of False Creek as is particularly described, and giving a frontage of some 770 feet on Park Lane, the west front; and the railway company is in terms bound to build a union station which will not only provide for its business, but is also to be sufficient to provide for the business of the Canadian Northern Railway Company, which company is specifically mentioned in the agreement.

Notwithstanding the arrangements so concluded, the City, on February 5, 1913, entered into agreement with the Canadian Northern Pacific and Canadian Northern Railway Companies, under which the Canadian Northern acquired the portion of False Creek lying to the south of that obtained by the Great Northern.

Paragraph 11 of this agreement provides for the construction of freight and passenger terminals with all necessary buildings. It reads in part as follows:—

> "The passenger station and buildings shall be modern in all respects and designed to accommodate not only the business of the Canadian Northern Transcontinental Railway system, but also that of all other railway companies which may be permitted to use the terminals as aforesaid. The passenger station shall be a Union Passenger Station, and shall be a building in keeping with the dignity of the City of Vancouver, and shall cost, with its attendant passenger platforms, passenger train sheds, baggage, express and office accommodation which may be provided as part thereof, not less than one million dollars ($1,000,000)."

Paragraph 22 proceeds:—

> "The railway company shall so design and construct the Union Passenger Station, terminals, buildings, tracks, and facilities, in so far as the same are to be located upon the railway property, as to reasonably provide for the use thereof not only by the railway company and the Canadian Northern Railway System, but by such other railway companies (including the Pacific Great Eastern Railway Company) as may require to make use thereof."

The freight facilities are provided for other companies under paragraph 24, while paragraph 25 provides for the handling of freight cars and freight of other railways.

In short, the agreement, so far as railway operation into a union terminal is concerned, covers the ground already carefully covered in the agreement of 1910, and ratified by Statute.

It may well be said to be in conflict with that agreement, as that agreement directly provided for the use of the union station, to be erected by the Great Northern, by the Canadian Northern System.

The agreement of the Canadian Northern, however, is in itself validated by Chapter 76 of the Provincial Statutes of 1913, Section 4 of the Act ratifying and confirming the agreement notwithstanding anything to the contrary in any Act, Statute, or Law contained.

It was under these circumstances that the city launched its application in June, 1915, with a view to having its contract with the Great Northern carried out.

The Board would not be justified in ordering two stations to be built of sufficient accommodation to serve identically the same purpose. No question was raised by the Great Northern as to the necessity of a station of some kind being built. It requires better station facilities in Vancouver, and the public interest demands that they should be afforded. The detail plans submitted and approved are those of the company, and no issue was raised that it has been called upon to do unnecessary work, in view of this subsequent agreement.

Two questions were considered at the hearing—one as to progress, and the other as to the exact location where the station should be placed upon the property the company obtained under the agreement.

Mr. McNeill appeared for the company and stated that he desired an Order erecting the station near the south boundary of the property. He stated that he had served the Provincial Government, the City of Vancouver, and the Canadian Northern Railway Company. The effect of the location that he desired was to place the northerly boundary of the station 600 feet from Prior street.

Mr. Swale, an architect, who had been called by the city, stated that the station certainly ought to be moved; that the whole thing would be better; that it would have many advantages and that the proposed site was a very much better site.

No objection was made on behalf of the city. On the contrary, Alderman Whitesides stated that if there was no delay in making the change in location it was a much nicer location; and that it would be much better for everyone to change it over to the new location.

In view of the agreement of 1913 with the Canadian Northern, there is no doubt that the terminals would present generally a very much better appearance if the two stations were erected side by side, built perhaps upon a common plan or at least with architectural designs which would not clash. In this case also some of the advantages of a joint station and service could be obtained, notwithstanding the two agreements.

Sir Hibbert Tupper has been instructed by certain rate-payers of the city, and particularly by landowners in that part of the city near the intersection of Park lane and Prior street.

He points out that the local property owners had no notice of the application to change the site. This is perfectly true.

He claims that the order was obtained by misrepresentation as to the consent of the city council. It would appear that the city council gave no formal consent. It has since, however, made its positions perfectly plain. Sir Hibbert further claims there was no jurisdiction to make the order.

Beyond all question, the real estate interest of property owners on Prior street would be better served were the station built at the corner instead of at the site which was originally ordered, or where it is now proposed by the city.

I have no doubt that it is more than possible that real estate was bought in the neighbourhood with the expectation that the station would be built and land values greatly increased by its construction, and the increase undoubtedly would be much greater with a station built on Prior street instead of freight sheds.

One of the last matters to be considered in connection with railway terminals is the interests of real estate owners in this block or that. When, for example, it is in the public interest that a station should be moved, it should be moved notwithstanding that this or that hotel or shop may as a result lose business. There is no distinction in this connection between railway activities and those of private companies whose withdrawal from one section of the city to another may or may not work injury to the adjacent real estate interests.

The general public interest, requiring as it does proper and convenient facilities, is the only interest which can be considered.

The adoption of the city's more recent plan of approach to the stations direct from Main street is much better for the general public than the approach by Park Lane, on which the front of the station would be built should the station be erected at the corner of Park lane and Prior street. The city desires that it should be carried further back from Main street than the present location adjoins at the line of Park Lane by placing it some 175 feet further south, and at a total distance of 375 feet from Main street.

Both from the point of view of the city generally and that of the general public the location desired by the city is entirely preferable to the one at the corner of Park lane and Prior street, and is certainly just as good as the site already authorized by the Board.

On the question of jurisdiction, it is quite true that the Provincial Parliament has validated the agreement of the city which calls for the location of the station "at or near" the corner.

It is fundamental that the words of a statute are to be understood in the sense in which they best harmonize with the subject of the enactment and the object which the Legislature had in view. Their meaning is found not so much in a strictly gram-

matical or etymological propriety of language, or even in its popular use, as in the subject or in the occasion on which they are used, and the object to be attained. (Maxwell on Statutes, Third Edition, p. 78. Also Beal's Cardinal Rules of Legal Interpretation, p. 34.)

Authorities may, however, be found for the proposition that the word "near" has the same meaning as "at" or "within".

Treating the word "near" in this sense, it is dealt with as the equivalent of the word "nearest" in the same sense that "next" is also synonymous with "nearest"; so that authority may be found for an interpretation of the agreement which would call for the construction of a station "at or next" to the corner of Park lane and Prior street.

With much deference, I do not think that such authority or interpretation should be followed or applied here.

In the case of Ottawa *vs.* Canada Atlantic Railway Company, 33 S.C.R. 376, it was held that the words "at or near the City of Ottawa" meant "in or near the City of Ottawa", as otherwise the same meaning would be given to the two words.

"Near" is a relative and not an absolute term. The word "at" on the other hand is absolute; and, if the intention of the parties was absolute and that the station must be placed "at" the corner, the words "or near" would not have been used.

The agreement with the Province calls for the location of a station "near" the intersection of Park lane and Prior street.

Apart, however, from all this, the Board is not bound either by the agreements or by the validating statute. The railway company cannot build the station until its location is in the first instance approved by the Board (section 258 of the Railway Act).

The question of the location of the station is entirely a matter for the Board's discretion, which can be exercised irrespective of apparent conflict of agreements and ratifying Acts.

An Order will now go amending the location, as requested by the city and not objected to by the railway company.

Mr. Commissioner McLean concurred.

T. H. TAYLOR AND THE CANADA FLOUR MILLS COMPANY *v.* THE CANADIAN PACIFIC RAILWAY CO. AND THE PERE MARQUETTE RAILROAD COMPANY *re* CHARGES ON SHIPMENTS OF WHEAT FROM AND TO CANADIAN POINTS, MILLED IN TRANSIT AT CHATHAM, ONT.

Judgment, Chief Commissioner DRAYTON, March 31, 1916:

This complaint is made by Mr. G. B. Spence on behalf of the T. A. Taylor Company and the Canada Flour Mills Company. The complaint shows that during the years 1912-13-14 the complainant companies shipped wheat from Goderich and Port McNicoll into Chatham, where the wheat is milled in the complainant's mills, and forwarded at the through rate plus the eastern charge of two cents per 100 pounds for milling-in-transit privilege.

The complaint further shows that the complainants' mills are situated on the tracks of the Pere Marquette Railroad Company in Chatham, but within interswitching distance from the tracks of the Canadian Pacific Railway Company.

Besides the through rate and the charge for the milling in transit privilege, the traffic has been subjected to a further charge made by the Pere Marquette Railroad Company for the service of switching from and to the transfer track and the complainants' mills.

The grounds of the complaint shortly are that a duplicate charge is made, and that the cost of the switching service made by the Pere Marquette should be absorbed by the Canadian Pacific Railway Company; that, in any event, the two charges are

illegal, firstly, because unreasonable *per se*, secondly, being against the tariff requirements of stop-over in effect in the Canadian Pacific Railway Company's tariff, and, thirdly, that in charging both rates a discrimination results as against the complainants' mills and in favour of those situated on the Canadian Pacific Railway Company's tracks.

The complaint was heard at a sittings of the Board held in Toronto on February 22, 1916, when judgment was reserved. Mr. Spence, who appeared for the complainants, relied particularly on the following extract from the Canadian Pacific Railway Tariff No. E-2316, which reads:—

> "The rates herein named apply from and to the docks, stations, or other receiving and delivering points on the lines of this company, or on railways parties to this tariff, or to or from sidings connected with or operated by such railways where the traffic is usually received or delivered, subject, however, to such regulations and charges, if any, for switching and other services that are named there and which may in any wise effect or determine any part of the aggregate of any such privileges or facilities granted or allowed."

and showed that the Pere Marquette Railroad Company was a concurring carrier under the tariff and, therefore, concurring in the provision that the through rate, plus the two cents per 100 pounds for the stop-off at milling points, will be protected, and that as a result that provision must govern and discharge the right of the railway company to collect the extra two cents for Pere Marquette switching.

Mr. Flintoft, who appeared for both railway companies, contended that the construction put upon the tariff by the parties should be taken into consideration, and that, as a matter of fact the traffic had been carried since 1911 at the same charges without any difficulty, which arose entirely owing to the activities of a firm of claim agents, who, he said, worked it out on a 50 per cent basis.

It would not appear that if the complainants had suffered any injury or wrong, reparation should not be made simply because they did not find that fact out for themselves.

The respondents rely on that portion of the tariff provision that the milling in transit privileges applied only on wheat, oats, and barley from Goderich or Port McNicoll, ex-lake, milled at points on the Canadian Pacific Railway. It was also urged in answer to the claim that the Pere Marquette Railway Company was named as a participating carrier, that the tariff put in evidence was a consolidation of two preceding schedules, one of which, C.R.C. No. E-1997, contained, *inter alia*, a ten cent rate from the lake ports to points on the Pere Marquette, Michigan Central, C. W. & L. E., and W. E. & L. S. R. Railways.

In the consolidation, while the rate was omitted, the revision in the list of participating carriers escaped attention, with the result that the companies named are shown as parties to the tariff, although the rate in which they were interested is no longer continued in it.

The complainants' case is based largely on the Pere Marquette Railroad Company's continued appearance in the list of participators. Apart from that fact there does not seem to be much reason why the Pere Marquette switching rate should not apply. The tariff sets out that these rates, plus the stop-over charge of two cents, carry the milling-in-transit privilege on the grains specified when milled at points on the Canadian Pacific and the Galt, Preston and Hespeler Railways and the products reshipped via the Canadian Pacific Railway to points east. Chatham is a point not only on the Canadian Pacific Railway, but also on the Pere Marquette railroad and the Grand Trunk Railway in an individual sense. The Canadian Pacific rate, however, would not include switching charges of other lines, unless so specified in the tariff, or except as affected by the interswitching order.

A somewhat similar case was considered by the Board in 1909. In that instance, the complaining Elevator Company claimed that the switching tolls should at least be absorbed in part under the terms of the General Interswitching Order, and that in no event should the charges be higher than the tolls allowed under that order.

The late chief commissioner, in his decision having reference to the interswitching order, says: "When the provisions of that order were being considered, there was no intention that it should apply except at terminals, and it was never intended to have application to movements required to enable milling-in-transit upon a through rate. The initial carrier becomes entitled to the extra cent per 100 pounds above the through rate for the services performed upon its own line, delay in releasing its cars, and the like, afterwards receiving the grain or product for transmission to its destination at the balance of the through rate. The one cent was required as a reasonable toll for these privileges (in this case stop-over privileges) to the shippers, and it would not be fair to require that carrier to absorb a portion of a switching service performed by an intermediate carrier that might not only dissipate the one cent per 100 pounds, but also the balance of the through rate." (Anchor Elevator Company and Northern Elevator Company *vs.* Canadian Northern Railway Company, File No. 9816.)

In principle, these cases cannot be distinguished. The Canadian Pacific here has to place the cars on the transfer track, where they are lifted by the Pere Marquette engine, and has again to go to the transfer track to take them away. In each instance it performs a switching and sorting service, probably just as expensive as it would be to place the cars on and take them from the private siding of mills on its own lines.

Transfer stop-over privileges and the work and expense incidental thereto do not, therefore, include the interswitching charges which are entailed by taking the traffic from the line of another railway company. The Pere Marquette's switching tariff is properly on file and no complaint is made against it, except to the extent that it is, by the concurrence of the Pere Marquette in the tariff in question, superseded and vitiated, in so far as traffic moving under this tariff is concerned.

Under the circumstances of this case and there being in fact no joint movement, in my opinion the point is not well taken, and the application must be dismissed.

Assistant Chief Commissioner Scott and Mr. Commissioner Goodeve concurred.

IN THE MATTER OF THE CONSIDERATION BY THE BOARD OF THE APPLICATIONS OF THE TELEGRAPH COMPANIES FOR APPROVAL OF THEIR TARIFFS OF TOLLS WITHIN THE TERRITORY WEST OF SUDBURY, ONT., AND BETWEEN POINTS EAST OF SUDBURY AND POINTS WEST THEREOF IN BOTH DIRECTIONS; AND OF THE APPLICATIONS OF THE WINNIPEG BOARD OF TRADE AND THE WINNIPEG GRAIN EXCHANGE THAT THE SAID TOLLS INTO AND OUT OF THE CITY OF WINNIPEG BE NOT APPROVED.

Judgment, Mr. Commissioner McLean, March 28, 1916:

I.

The original complaint of the Winnipeg Board of Trade and of the Winnipeg Grain Exchange, which was dated March 3, 1910, protested against the approval by the Board of the Winnipeg tariffs of telegraph companies operating into and out of Winnipeg, for the following reasons:—

(1) The tolls now charged by the telegraph companies are exorbitant for the service rendered

(2) That while as a result of increase in business the railway companies operating west of Lake Superior had made reductions in freight and passenger rates, there had been no reduction in the principal tolls charged for telegraph business, although there had been a large increase in such business.

(3) That the present tolls greatly exceeded those of like service elsewhere in Canada.

(4) That the telegraph companies operating into and out of Winnipeg had quite recently cancelled some of the rates and substituted tariffs showing increase in rates.

The Winnipeg Board of Trade and the Winnipeg Grain Exchange joined in urging that before approving any of the telegraph tariffs of tolls applying to business into and out of Winnipeg there should be a thorough investigation of the fairness or unfairness of such rates, and that such investigation should be conducted as a general hearing on the lines of the investigation into the rates charged by express companies.

Subsequent to the receipt of this complaint, a communication was received from the Toronto Board of Trade and from the Montreal Board of Trade supporting the complaint. The Saskatoon Board of Trade and the Associated Boards of Trade of Western Canada also added their endorsements.

The Canadian Pacific in its answer set out the following positions:—

(1) It denied that the rates charged were excessive or discriminatory, and alleged that they compared favourably with the rates charged in corresponding territory, under similar conditions, in the United States.

(2) That the cost of material and labour had so increased during the past twenty years as to offset to a large extent any additional profits to the railway due to the increase of traffic. The railway company at the same time stated that it did not admit that increase of traffic was a controlling factor in fixing rates.

(3) That a fair comparison could not be made between railway business and telegraph business since there could be a large increase of business on a railway without addition to the facilities, while, on the other hand, in the case of telegraph business, increased traffic meant the erection, maintenance and operation of additional telegraph lines.

(4) That telegraph tolls in Eastern Canada were abnormally low and should not be used for purpose of comparison, being the result of peculiar conditions which did not exist in the West.

(5) That the only rate out of Winnipeg which had been cancelled was a special rate between Winnipeg Grain Exchange and Fort William, which was found to be unreasonable and discriminatory.

In general, the railway company took the position that there should not be a general investigation, but that the specific tolls complained of should be set out, and that the investigation, if undertaken, should be directed to specific complaints.

The Canadian Northern Telegraph Company stated in its answer that the rates referred to by the applicants would not permit of further reduction, in view of the large increased cost of labour and equipment.

The Winnipeg Board of Trade and the Winnipeg Grain Exchange in their replies reaffirmed the necessity of having a general investigation, and stated with reference to the tolls in Eastern Canada, which had been referred to in answer as above indicated, that even if the telegraph tolls charged in Eastern Canada were abnormally low, which they did not admit, this did not furnish any reason why telegraph tolls in Western Canada should be made so high as to overcome abnormally low rates and provide a profit for the telegraph companies.

The Great Northwestern in its answer claimed that the rate in force for day messages between Winnipeg and its offices in Ontario, Quebec, and New Brunswick, viz., 75 cents for the first ten words and five cents for each additional word, the date, address and signature of each message not being counted or charged for, was a fair and equitable one. It also made comparisons as to points in the United States equally distant from Winnipeg where a similar rate was charged.

Various other comparisons were made as between the rates charged to points in Canada and rates charged to points in the United States.

A summary of general telegraph rates charged in the United States is set out in Exhibit 99. This shows that 16 States have, in the case of day rates, a 25-cent rate; all of these but Ohio, Louisiana and Mississippi are eastern or Atlantic Coast States.

Seven States have a 35-cent rate; 19 have a 40-cent rate; while 9 have a 50-cent rate. Taking States contiguous to the international boundary from Fort William west, the following is the situation: Minnesota, Nebraska, and North Dakota, 40 cents; Montana, Idaho, and Washington, 50 cents.

The transcontinental rate from Vancouver to Halifax is $1. In the United States, the transcontinental rate is also $1; e.g., this is the rate from Seattle to New York. On the movement between these points, the $1 rate is blanketed back from the Atlantic seaboard to Ohio and Indiana points, as, for example, Cleveland and Indianapolis.

In general, the rates between adjoining States in the United States are 50 cents for day and 40 cents for night messages. The exceptions may be summarized. There are rates of 40 cents day and 30 cents night between North and South Michigan; Indiana and Ohio, Ohio and Pennsylvania, West Virginia and Maryland, Maryland and Pennsylvania, New Jersey and Pennsylvania, Maryland and New Jersey, New Jersey and New York, New York and Connecticut, New York and Massachusetts, New York and Vermont. There are rates of 60 cents and 50 cents between Oregon and Nevada, and between Nevada and Arizona. There are rates of 35 cents and 25 cents between Vermont and Massachusetts.

The rates between States are, in various cases, subject to modifications due to special rates between particular points. Thus between North Dakota and Minnesota, which is a movement comparable with that between Winnipeg and Fort William, i.e., between Sections 5 and 4, the interstate rate in the former case is 50 cents as compared with 40 cents in the latter. Fargo, North Dakota, is situated almost due south of Winnipeg. While the distance from Fargo to Duluth is 256 miles as against 419 from Winnipeg to Fort William, the movements may be compared because they are to competing Lake Superior terminals. The special Fargo-Duluth rate is 35 cents for a day message as compared with the existing 40-cent intersection rate covering the Winnipeg-Fort William movement.

The comparisons between rates in the United States and those in Canada are informative but not conclusive. They have no necessary conclusive bearing on the reasonableness of rates in Canada.

Consideration of the Special local tariff of Dominion and Canadian Northern Express Companies applicable on cream in the Provinces of Saskatchewan, Alberta, and Manitoba. File 4214219.

Canadian Oil Companies v. *Grand Trunk, Canadian Pacific and Canadian Northern Railway Companies, 12 Can. Ry. Cas., 355.*

While admitting that there had been some increase in business, the Great North Western claimed this was not large; and it, at the same time, alleged that the increase in traffic had no bearing whatever upon the question as to whether the rates charged were equitable or not; and it stated that the decision of the question depended entirely upon the cost of the service as it might be shown. It stated that while the 25-cent rate in Eastern Canada was probably reasonably remunerative when first established, since there was then no competition and there was then also a low cost of maintenance and operation of lines, now these lines covering extensive sections of territory were absolutely unprofitable. Reference was made to telegraph and telephone competition as materially reducing the revenue from this toll.

The contention was made that the disparity in Winnipeg rates as compared with local rates in Eastern Canada was due not to any unfairness or excess in the Winnipeg rates but to the absolutely unprofitable character of the Eastern Canada rates.

A table was submitted showing the changes in message rates between Winnipeg and other Canadian points since the organization of the company in 1881:—

	1881.	1886.	1889.	1890.	1899.
To Ontario	100–7	....	75–5	....	—
To Quebec	100–7	....	....	75–5	—
To New Brunswick	125–8	100–7	....	75–5	—
To Nova Scotia	125–8	100–7	....	75–5	—
To British Columbia	....	100–7	....	....	75–5

These rates are for ten-word messages, the extra figures being the charge per word for extra words over and above the ten words in the body of the message.

II.

In a memorandum of the Assistant Chief Commissioner, dated June 11, 1910, which subsequently issued, it was stated that at the hearing which had taken place at Winnipeg intimation had been given by the Board that some investigation of the rates into and out of Winnipeg would be held, but that decision had been reserved as to the form the enquiry would take. The Assistant Chief Commissioner stated in this memorandum that he was "now of the opinion that an investigation should take place at the next sitting of the Board in Winnipeg into the fairness and reasonableness of the tolls charged by telegraph companies for messages between Ontario and Quebec points and Winnipeg, and between Winnipeg and points in Manitoba, Saskatchewan, Alberta and British Columbia." He further pointed out that application had been made to the Board by the Canadian Pacific Railway Company and the Great North Western Telegraph Company for approval of their tariffs of tolls, pursuant to subsection 2 of section 4, chap. 61 of the Statutes of 1908; but that these tariffs had never been approved. Under these circumstances, he considered that it was an opportune occasion to call upon the companies doing telegraph business in Winnipeg to justify the reasonableness of their rates into and out of Winnipeg so that the onus of satisfying the Board that the rates should be approved would be on the telegraph companies.

At the sitting of the Board in Winnipeg on September 24, 1910, the matter was set down under the following style of cause:—

> "Application of the Winnipeg Board of Trade and the Winnipeg Grain Exchange setting aside the tariff of telegraph tolls charged by telegraph companies operating in and out of Winnipeg."

After a general discussion of various questions involved, Chief Commissioner Mabee stated that while he had in the first instance been opposed to a general investigation he had come to the conclusion that he should withdraw his position in this regard, and that a recommendation should be made by the Board to the Minister of Justice so that Government counsel to conduct the investigation should be provided. Thereafter, a recommendation in terms of this decision was made to the Minister of Justice, it being pointed out that the complaint brought up involved the whole question of telegraph tolls and practices.

The Board having been notified under date of March 14, 1911, the Government counsel had been appointed by the Department of Justice to conduct the further proceedings before the Board, the matter was set down for hearing. The notices sent out provided for a general inquiry into the tariffs of tolls of telegraph companies and the settlement of proper forms for telegraph companies to use. The question of the settlement of proper forms for telegraph companies to use had been under consideration before the general investigation into telegraph tolls was undertaken, and it appeared to be convenient to consolidate the files.

It appears that while the complaint in the first instance dealt with allegations of discrimination in respect of the rates into and out of Winnipeg, it broadened out in the course of the discussion and in the determination of the scope of the inquiry into a general inquiry into the reasonableness of the tariffs of tolls.

III.

Although the question of discrimination had been raised in the initial proceedings and although this question was also set out in the argument of Government counsel, the investigation was conducted rather as a general investigation into the tolls charged and the justifiability thereof. The constructive suggestion of Government counsel as to a system of tolls looked to the installation of a system which he considered would be justified from the standpoint of general reasonableness.

At the termination of the hearings, it was agreed that the arguments should be put in in printed form. It appeared that in this way the issues could be more narrowly defined than would be the case if the matter were presented on oral argument. Such a mass of detail had been presented that it seemed justifiable to handle the matter in this way.

The argument of Government counsel was received in August, 1913. On November 5, the companies were written to stating that the Board desired that the filing of the submissions in the matter should be expedited. The Board was advised that as counsel for the companies, with the exception of the Great North Western, were engaged in the Western Rates Investigation then pending, they could not get forward until this investigation was concluded. The companies were written to on December 13 stating that as the hearing in the Western Rates Investigation had been concluded, the Board desired the arguments of the telegraph companies to be filed without further delay. They were again written to on January 13, 1914, in the matter. They were again written to on January 27, 1914, and they were advised on January 30 that the arguments must be filed within fourteen days from that date. A short memorandum of argument on behalf of the Grand Trunk Pacific Telegraph Company was forwarded on February 12. The argument of the Great North Western was forwarded on February 12. The argument of the Canadian Pacific was forwarded on February 14. The argument of the Canadian Northern Telegraph Company was forwarded on February 26. It was explained that this argument had been held back in proof form in order to obtain the criticisms of the superintendent of the Canadian Northern Telegraph Company, and on account of illness in his family this had caused a delay. Unfortunately, Mr. Pitblado, the senior Government counsel, was taken seriously ill; and the Board was advised in the beginning of April that on account of his illness during the previous two months it had been necessary for him to be absent from Winnipeg, and that his physician insisted that for some little time further he should abstain from office work. Notwithstanding his illness, Mr. Pitblado prosecuted the preparation of his reply with all due diligence, and this was placed before the Board in June, 1914.

IV.

Work on the preparation of the judgment was then undertaken. While this work was under way, war broke out. It appeared to the Board that until it was seen just what effect the war would have on the particular business involved in the present application, it would not be proper to issue judgment on the basis of the material submitted. The figures for 1912, which was the last year covered in evidence, constituted, for the five years submitted, the peak. Upon careful consideration, it seemed to the Board that there would be as regards the business involved a disloca-

tion which would make the figures presented of questionable value from the standpoint of predicating conclusions thereon. No such war with such wide-reaching influences in regard to financial and business conditions had ever taken place before. And the result of this was that a dislocation of the business concerned in telegraphic communication might be expected. It seemed, then, to the Board that until a reasonable period of readjustment had passed permitting a comparison to be made of the later conditions with those disclosed in the arguments, it was the obligation of the Board to stay its hand. Had the investigation been one concerned merely with an individual rate or with a scale of rates concerned with an area of narrow compass, instead of with a scale of rates embracing a territorial area extending from the Atlantic to the Pacific, the situation would have been different since the facts pertinent to such a matter could more readily have been isolated and the attendant dislocation considered so that a final appraisement might be made.

The scope of the jurisdiction conferred upon the Board differs in various respects from that exercised in ordinary judicial procedure. In a proceeding before a court, there is normally a satisfactory assurance that when the hearing is concluded all the material evidence has been presented, and judgment thereafter issues on such evidence. The Board while made a Court of Record by the Railway Act is given peculiar functions which by placing an especial reliance upon the discretion of the Board demands especial care that the discretion should be carefully used. The Board has dual, and to some extent anomalous, functions of investigating matters of its own motion and of deciding matters, whether originated of its own motion or on complaint. Subject to exceptions, which might be pointed out as in the case of a continuing offence, it may be said that, in general, a court is concerned with adjudication on a past and closed state of facts. In the case of a regulative tribunal exercising supervision over rates, the question confronting it is—reasoning from the past, what continuing rate or scale of rates should be prescribed for the future? The scope of the Board's activity is not punitive or prohibitory in respect of past transactions, but corrective and amendatory in respect of future transactions. The Board deals with a future rate in the light of what has been established as to the past rate. But in so dealing, it makes researches of its own and supplementary to what has been presented in evidence, and all this constitutes the record on which it makes a decision. Where the question of what is a reasonable rate for the future is before it, it has to consider not only what may be established on the basis of past transactions, but also to endeavour to form an opinion as to what will be a reasonable rate for the future under conditions which cannot exactly be measured in terms of what is set out in evidence and which must of necessity be estimated. The imposing of the burden of so wide a discretion as is thus placed upon the Board by the Railway Act of necessity creates an equally wide obligation to see that the discretion is wisely used.

In dealing with a single rate, a relative assurance of certainty as to all the material facts having been set out in evidence may exist. Where a complaint can be localized to an individual rate, there is far greater certainty as to all those who are interested in or affected by it being heard. But where a general scale of rates is concerned, there is the difficulty that many who are affected by particular rates may not be heard; and under such conditions there is a still wider element of discretionary judgment, not only as to future conditions, but also as to the significance of the past conditions as set out in evidence.

When almost coincident with the termination of a general hearing, a world-wide struggle brought about such a prospect of dislocation of industrial and financial conditions as the world had never seen before, the Board had to give weight to this. It had to consider whether the sudden change still left the facts on the record as characteristic and as setting out a normal condition, and, finding that this dislocation brought about an abnormal condition, it would not have recognized the obligation imposed on it if it had not waited until sufficient time had elapsed to ascertain whether the facts as set out in evidence had again been approximated.

It was an unprecedented condition; and it appeared to the Board that in the general interest there should be a stay until a reasonably based opinion could be formed as to whether more normal conditions had again been reached.

In intimating this to the parties whose application in the first instance broadened into the general inquiry, the Board further stated that the matter would be gone into when it appeared that this more normal condition had been reached, or when such time had elapsed as would enable an opinion to be formed of the business done by the companies under war conditions and its effect on them.

V.

The Canadian Pacific presents a more comprehensive picture of the general level of telegraph business throughout the country, since it does business both East and West. The Canadian Northern no longer makes separate returns to the Government; since January 1, 1915, there has been an operating agreement between it and the Great North Western as a result of which the returns are no longer differentiated. As a result of this, neither the Canadian Northern nor the Great North Western figures as set out in the Government returns, are comparable.

The figures for the Canadian Pacific for the years ending June 30, 1912 to 1915, inclusive, show the following gross earnings and net operating revenues:—

	Gross Operating Revenue.	Net Operating Revenue.
1912	$3,009,767 84	$1,573,823 56
1913	3,286,508 95	1,594,555 57
1914	2,991,273 06	1,377,585 42
1915	2,504,241 50	1,121,734 34

Making comparisons with the year 1912, it appears that the gross operating revenue for 1913 was 9·2 per cent greater, while the net operating revenue was 0·9 per cent greater. For 1914, the figures are 0·7 per cent and 11·8 per cent less, respectively, while for 1915 the figures show decreases of 19·8 per cent and 29·8 per cent respectively.

In the calendar years 1909 to 1912, inclusive, there was a sharp upward movement, involving an increase of $1,100,000 on messages sent. The average of this period was $2,142,672. The business of 1914 was in excess of this average figure, while the figures for 1915 were 2·4 per cent below it.

Comparisons of the local message receipts for the years ending June, 1912 to 1915, inclusive, show the following results:—

	Local.	Conjoint.
1912	$1,920,027	$192,473
1913	2,168,739	205,767
1914	1,953,245	185,543
1915	1,601,020	399,273

Making comparison with the year 1912, the local business for 1913 showed an increase of 13 per cent. In 1914, there was an increase of 1·2 per cent in local. For 1915, there was a decrease of 16·7 per cent in local.

The Government returns for the year ending June, 1915, show the cost of the Canadian Pacific Telegraph System standing at $6,696,421; that is to say, at the cost of reproduction figures later referred to.

The performance figures by railway operating departments are available for the calendar year 1915, and comparisons of net earnings based on calendar years afford data based on the latest full year available. The figures as to net earnings have no deduction made from them for the additional items which the company claims are properly chargeable against the telegraph department. Subject to this, comparison may be made. The average of the net earnings for the period 1907-12 is exceeded by the average net either of 1914 and 1915 conjointly, or by the net of 1915 alone.

A more characteristic comparison can be made by taking the average of the period 1909 to 1912, which was a period of expansion. The average for this period

is 1,202,037. This is slightly less than the average of 1914 and 1915. Taking the year 1915 as the measure of business, it appears that the net earnings of this year are 2·7 per cent less than the average of 1907-12. If comparison is made with the average of 1910 and 1911, which were years of expansion before the sharp increase of 1912 took place, it will be found that the net for 1915 is about $\frac{1}{10}$ of 1 per cent less than the average of 1910 and 1911.

A comparison of messages sent and received for the period of 1907 to 1912 and 1914 to 1915, for the calendar years, shows the following results:—

	Sent.	Received.
1907	2,753,959	2,629,538
1908	2,600,742	2,472,015
1909	3,006,842	2,953,165
1910	3,421,396	3,263,256
1911	2,921,657	3,755,831
1912	4,642,820	4,438,732
1913	4,592,819	4,447,970
1914	4,038,505	3,694,784
1915	3,842,779	3,596,107

The average of the messages sent for the period 1909 to 1912 is 3,391,236 messages, and the figures for the year 1915 are 13 per cent in excess of this.

Comparisons with 1912 cannot be relied on as giving characteristic averages. As the figures show, 1912 is the peak year, and there is a very sharp and sudden increase over the preceding year.

It is fair to make comparisons as to volume of business with the years 1910 and 1911, since these are more characteristic. On the whole, it appears that messages sent and earnings have held sufficiently close to the figures of 1910 and 1911 to justify these being taken as the basis for comparison.

VI.

It has been submitted that there is discrimination against Western Canada and in favour of Eastern Canada. By Western Canada is here meant, as set out in the argument of Government counsel, the territory west of section 1. That is to say, there is embraced in the territory intervening between section 1 and Fort William and Port Arthur, sections 2 and 3 and a portion of section 4. It is urged as an evidence of existing discrimination that for the same sum, viz., 25 cents, a message is carried a shorter distance in the West than in the East; that there is a charge of 2 cents for each additional word, over ten, in the West as compared with 1 cent in the East; and that messages can be sent from the Nova Scotia and New Brunswick section, section A, into section 1, for an additional charge of 5 cents, as compared with additional charges of 15 cents and 25 cents in the West. The later count in the presentation is not, however, pressed, since in the scale of reasonable rates put forward by Government counsel in their constructive submission, the 5-cent "jump" or step from section A to section 1 is left untouched.

Questions arose as to the legal status of the 25-cent rate in the eastern territory, as well as of the area embraced by this rate. At the hearing in Winnipeg in September, 1910, a representative of the Great North Western stated that his understanding was that the charter of the company fixed the rate. At the same hearing, the opinion was expressed by Chief Commissioner Mabee that the rate of the Great North Western in the territory in question was held down by statute.

In the year 1882, the Montreal Telegraph Company was authorized by section 13 of chap. 93, 45 Victoria, "to amalgamate with or lease its line or lines, or any portion thereof, from time to time to any company, board or persons at the time of the passing of this Act possessing as proprietors any line of telegraph either in Canada or in any other British possession . . . upon such terms and in such manner as the board of directors may from time to time deem expedient or advisable."

Section 14 of this Act provided:—

> "Nothing herein contained shall affect any suits now pending in reference to an agreement heretofore entered into between the Montreal Telegraph Company and the Great North Western Telegraph Company, and in the event of the Montreal Telegraph Company herein availing itself of the powers granted by the next preceding section, the rates for the transmission of a message of ten body words over the present extent of the lines of the Montreal Telegraph Company in Canada or any part thereof at any time during the continuance of any arrangement made under the powers granted by the next preceding section shall not be more than twenty-five cents, nor shall such body words beyond ten in such message cost more than one cent; Provided, further, that the company shall not be entitled to avail itself of the powers of purchases, lease or amalgamation granted by the next preceding section unless it be provided in the agreement therefor that returns of the revenue and expenditure on all the operations of the companies concerned therein, in such form as shall from time to time be prescribed by the Governor in Council, shall be laid yearly before Parliament, and provided further that the company shall not be entitled to avail itself of the powers of purchase, lease or amalgamation contained in the next preceding section unless it be provided in the arrangement therefor that the maximum rate of 25 cents per ten body words and 1 cent for each body word beyond ten shall apply to all messages sent from any point to any other point within the provinces of Ontario, Quebec, Nova Scotia and New Brunswick, over any of the lines of any of the companies operating any such purchase, lease or amalgamation had or procured. And provided lastly that the rates charged for the telegraphic messages over any of the lines of telegraph in the provinces of Ontario, New Brunswick and Nova Scotia shall not in any case exceed those charged on the first day of April, in the present year; and that this last provision shall be held to bind every other person, company or board as well as the company and every person, company or board entering into or being a party to such purchase, lease or amalgamation as aforesaid."

The legal effect of this legislation is, according to the contention of the Great North Western, as follows:—

> "The Montreal Telegraph Company did not avail itself of the powers of lease or amalgamation granted to it under the provisions of the Act mentioned, as by the judgment rendered in Low *vs.* the Montreal Telegraph Company, by the Court of Queen's Bench, upon an appeal, on September 19, 1883, the judgment of the Superior Court was reversed, and it was held that the agreement of August 17, 1881, was *intra vires* of the companies parties thereto. No subsequent agreement was entered into between the Montreal Telegraph Company and the 'Company,' and the Montreal Telegraph Company had not availed itself of the powers of lease and amalgamation conferred by the statute, and the provisions of the statute have therefore no application."

I am of opinion that the view of the late chief commissioner should be followed. The rate is statutory and binding on the company. It has no conclusive bearing on other districts which should be considered on their own merits. The enforced continuance of the statutory rate by the company is not of itself evidence of undue discrimination or unjust preference. On the question of this statutory obligation, the senior government counsel (Evid., Vol. 171, pp. 1292-1293) said:—

> "Mr. PITBLADO: The only really accurate system is a mileage system.
>
> "The CHIEF COMMISSIONER: Do you advance that as practicable?

"Mr. PITBLADO: I thought so at one time; I have very grave doubts now. That is why I am coming round to the zone system. At the outset I did think it might be worked out on a system of mileage.

"The CHIEF COMMISSIONER: Do you think that is something which ought to be abandoned?

"Mr. PITBLADO: I think it might be abandoned because in Ontario and Quebec that cannot be worked out without a change in the statute, by reason of the fact that the Montreal Telegraph Company accepted an amendment to its charter by which if it entered into any amalgamation the rate of 25 cents was to continue. They voluntarily went on and made an agreement afterwards and they are bound by that."

At page 59 of their reply, Government Counsel state: "We do not agree with the contention of Great North Western counsel that the provisions of the Act Consolidating and Amending the Acts relating to the Montreal Telegraph Company (45 Vic., Chap. 93, 1882), are not binding on the Great North Western."

This position appears to me to be well taken.

In addition to this reference must be made to the scope of the jurisdiction conferred upon the Board. The Railway Act, in its inception concerned with the incidents of railway transportation, has by accretion included additional types of public utilities. Of these the telegraph is one. The jurisdiction in respect of this utility is conferred on the Board by 7-8 Edward VII, Chap. 61, S. 5, s.s. 1, which provides that, subject to the exceptions therein set out, the provisions of the Railway Act are to apply to the jurisdiction of the Board and the exercise thereof "in so far as reasonably applicable and not inconsistent with this part or the special "Act," for the purpose of carrying into effect the provisions of "this part according to their true intent and meaning."

The Act thus recognizes that there may be differences of conditions as between the added utilities and the railways. So in applying the sections primarily applicable to railways, the burden is placed on the Board to see in how far they are applicable. It has to take into consideration the differences, if any, as between the added utility and the railway, and to give weight to this in applying the sections. If in the nature of the business and method of operation of the added utility there are facts and conditions which differentiate it from the railway business, the burden is on the Board to give weight to these. That is to say, the law does not in the sections made applicable say they are automatically to apply to the added utility. The Board is obliged by the Act to ascertain in the first instance whether, on account of the nature of the business, a particular section applies or not; and then having decided that it does apply, the further question is as to what extent the section does apply.

The jurisdiction thus conferred is a somewhat anomalous one. Questions of the dividing line between administration and legislation are brought up by it. The jurisdiction of an administrative tribunal is primarily an administrative one. In this instance, Parliament has taken the general scheme of the Railway Act, subject to the excepted sections, as the scheme to follow. It has, however, by the wording of the section already quoted, recognized that there may be conditions peculiar to the business of the added industry which are not on all-fours with those of the railway enterprise. It has not attempted to say what these differences are or may be. It has not said what weight should be given to such differences. But it has said, in substance, that it is for the Board, where such differences do exist, to make such modifications in applying the sections of the Railway Act, as the conditions so found to exist demand. In other words, given the Railway Act as a scheme of general direction, the obligation is imposed on the Board of working out, so to speak, a subcode of regulations dealing with the added utilities in the light of the conditions peculiar to them.

In railway transportation, distance is an important factor in the measure of discrimination. Given similarity of conditions, there being no especial circumstances creating different conditions, it follows in general that rates for equal mileages may be compared. For in the out-of-pocket costs in connection with the movement of transportation, the transportation cost, in so far as it may be computed, increases with the distance, although it may not increase in exact proportion to the distance.

In the business of railway transportation, an analysis of the factors entering in shows the presence of (a) cost of construction and maintenance of the railway; (b) terminal cost; (c) cost of movement of the particular shipment.

To the general cost of construction and maintenance all traffic must contribute. But the more important the haulage cost is in determining the market price of the commodity the less is the ratio of contribution per unit of commodity which it can make to the total overhead cost. The terminal cost which each commodity has to meet becomes of lesser importance in the rate as the distance of the haul increases, since this cost, which is constant, is thus spread over a wider base and has therefore a less effect per mile. Hence the fact that ton-mile rates tend to decrease as the distance increases.

Western Ontario Municipalities v. *Grand Trunk, Michigan Central and Père Marquette Ry. Cos., 18 Can. Ry. Cas., 329, pp. 333-334.*

While the cost of movement of the particular shipment, in terms of train expenses may be difficult to estimate with any degree of accuracy, except where there is a movement in train loads, it is recognized that the cost of movement of the particular commodity must of necessity be a factor.

In the case of telegraph business, the distance factor plays a much less important part than in railway transportation. The transmission is practically instantaneous. But there is an investment in plant. As the distance to be traversed becomes greater the equipment for this must also increase. Then, again, increase in volume of traffic normally necessitates increase in wire mileage While there can be quadruplex operation, i.e., there may be the transmission of two messages each way at the same time on the same wire, this being done where the volume of business is sufficiently dense or other conditions favour it, it happens that, in general, a large proportion of business is sent on single wires. In railway business, an increase in volume of traffic may lead to an increased investment in rolling stock. This rolling stock may be used from place to place with the varying needs of business. In telegraph business, the additional plant investment resulting from increased volume of business of necessity remains localized where the increase in volume of business took place. The overhead expense thus tends to become a factor of steadily increasing importance. The transmission being practically instantaneous, there is not in this respect the same movement costs, so to speak, following the message and earmarked for it as there are in the case of railway transportation, where there are train wage costs, fuel, oil, etc., necessarily attaching to the movement.

For distance to be the common yardstick of reasonableness it must also be the common yardstick of cost.

In railway transportation, the distance factor, if no extraneous disturbing conditions are present, affords on the average a working measure of reasonableness. In the case of the telegraph business, the condition is different. The element of distance may be important as measuring the cost of the pole line mileage and wire line mileage per mile, but this has no necessary connection with the cost of the individual message. That is to say, it does not create a situation where there is a cost factor varying so far as actual transmission is concerned with the movement of the particular message.

All telegraph business must give its proper contribution to the maintenance, depreciation and interest on the necessary plant investment.

In organizing the telegraph business, the lesser importance of the distance factor and the practical impossibility of applying it as a measure of rate progression has been recognized by the application of the zone or blanket principle of rate-making in a very much wider degree than is the case in railway transportation. While in railway transportation both mileage rates and zone or blanket rates are to be found, in the telegraph business as organized in Canada the zone system is used throughout. While the evidence as to what is the practice in the United States has no necessary bearing on the present application, it may be noted that the evidence adduced shows that the general system there applicable is that of zones; and that in so far as there is a modification in practice, it is in the nature of a sub-zone system, not of a mileage basis.

In the case of railway transportation, where the distance basis is departed from and a zone or blanket system of rate-making is adopted, it is in general because there is competition of markets or water competition. In the carriage of a staple produced at various points and disposed of in a common market, the points of production instead of being arranged on a distance basis may be given a zone basis; as, for example, in the coal tariffs in various portions of Alberta, or, again, in the case of terminal rates to the coast cities where the element of water competition enters in. The existence, however, of a blanket rate arrangement on coal in Alberta would have no necessary bearing on the rate-grouping for coal in Ontario, assuming it were produced there, unless the product of the two sections came into competition in a common market. Again, the 40-cent and 45-cent rate groups on lumber moving east from British Columbia have no necessary bearing on the grouping of this commodity in Eastern Canada, except in so far as there may be competition in a common market.

In general, it may be said that in railway transportation, where water competition or competition of markets is not present, the attempt is made to build rates on a distance basis, this being due to the recognition of distance as an important measure of work done and resultant cost.

But the general adoption of the zone system in telegraph business in Canada is a recognition of the fact that there is no such necessary rigid connection between distance, work and resultant cost as in railway business. With charges which, while they may amount to a considerable total in the aggregate, are of such an amount on an individual message as to be incapable of apportionment on a mileage basis without going into the computation of minute fractions, one practical reason for a thoroughgoing adoption of a blanket system is apparent.

At the ouset, the senior Government counsel was of opinion that the only accurate system was one based on mileage. He came, however, to the conclusion that this was impracticable and that the method of subdivision into zones had to be made use of. It was stated in argument of Government counsel at page 62 that either of two plans might be followed in connection with the subdivision into zones:

(*a*) A plan of making geographical divisions irrespective of whether the boundary lines thereof coincide with any principal relay point.

(*b*) A plan of making certain large relay points dividing lines of zones; this relay point, for the purpose of the particular business within the two zones of which it was the boundary would be within each zone. And it was stated that this principle was applied by the Canadian Pacific as far as Sudbury is concerned. That point, for the purposes of business in section 1, is in section No. 1; for the purposes of business in section No. 2 is in that district; and for the purposes of business in section No. 3 is in that district.

In the constructive submission made by Government counsel, the first of these plans was made use of as causing less interference with the system now in existence.

The zone system is thus the negation of distance as the absolute measure of a particular rate since all the rates within a zone are on the same flat rate basis. This, however, does not mean that distance is an entirely negligible factor. While the organization into zones leads to an equalization of charges of transmission, the principle of a single zone has not been adopted because that would mean that a purely local message would bear a rate which would also be charged for a message moving across the continent, and this, notwithstanding the greater plant investment necessitated for the latter message, as well as the relays along the line. At the same time, in the longer distance transmission, the zone system has an added recognition in that supplementary rate zones will be found where on such longer distance a common rate is charged.

It appears that under such conditions the mere extent of a particular zone has no necessary bearing on the extent of another zone. The common feature is traffic; and in this connection the comparative utilization of plant as between different seasons of the year is one important factor.

Assuming a difference in the distance for which a ten-word message can be sent for the same sum in the East as compared with the West, a material question is whether as between the points joined by the mileage selected there is traffic moving important in amount, or whether it is simply a possible traffic upon rates as shown.

The various criteria of unjust discrimination or undue preference have been set out at length in the Board's judgment in the Western Rates Case. Only one or two of the Board's decisions need be referred to as bearing upon the position set out in the preceding paragraph. The Board has held that where there is discrimination it should in deciding whether this amounts to an unjust preference take into consideration whether there was actual competition in the same market between the companies concerned.

> *Michigan Sugar Co.* v. *Chatham, Wallaceburg and Lake Erie Ry. Co., 11 C.R.C., 253.*

It has also said that one criterion of unjust discrimination is whether the district alleged to be discriminated in favour of has profited at the expense of the locality against which it is alleged the discrimination has taken place.

Wegenast vs. Grand Trunk Ry. Co., 8 C.R.C. 42. The same position was re-emphasized in *Toronto and Brampton vs. G.T.R. and C.P.R. Cos., 11 C.R.C. 370,* where the following language was used:—

> "The evil of it, as I understand it, is that because persons or localities are discriminated against it results in unfair play and injury to the individuals or to the localities affected. In the absence of any injury to individuals or localities, what difference does it make whether there is discrimination?"

The ultimate test of discrimination is to be found, not in a difference of rates, but in the question whether as a result of this difference an injury is worked to an individual or locality. One test of this is whether the locality alleged to be favoured actually gets into a common market on a lower rate. The rate paid rather than the distance travelled is important.

VII.

There are four companies under investigation, the Canadian Northern, Grand Trunk Pacific, the Great North Western, and the Canadian Pacific. The Western Union carries on business in the Maritime Provinces and to some slight extent in British Columbia. Its lines in New Brunswick and Nova Scotia are connected at one end with the cables operated in connection with the lines of the Western Union Tele-

graph Company, or by that company at the other end with lines reaching to New York and other important cities in the United States. The great bulk of the messages over these lines is made up of through messages over cable lines. No criticism is presented as to the rates of this company in these sections and no further reference is necessary.

Telegraph companies in Canada have been closely bound up with railway construction. Excluding the Western Union lines in Nova Scotia, which are primarily to be regarded as the terminals and transmitting lines for cable business, the general situation in Canada is that a commercial telegraph business has been tied up to railway business.

Mr. McMichael of the Great North Western Telegraph Company stated at the initial hearings in Winnipeg that the use of the railway right of way was important in reaching the important points. He further stated that his telegraph company had no private right of way anywhere. The company has a small amount of mileage between the International Boundary and Winnipeg and Brandon. When asked with reference to this, why the operation was so limited in Manitoba, he said that it would not be profitable for a company to build its lines without the assistance of a railway.

The Great North Western Telegraph Company, in its development in Eastern Canada, has by various agreements been able to construct along the right of way of different railways. The extent to which this is the case may be gathered from the fact, as set out in Exhibit No. 121, that, of the estimated present value of poles, wires, and cables of the company, 85.9 per cent is attributable to the construction along railways, only 12½ per cent of the total being located along highways.

The agreements entered into vary in particulars, but some reference to the terms of different agreements will serve to show the general nature of the co-operation. In its agreement entered into with the Central Vermont Railway Company on April 1, 1891, the Great North Western Telegraph Company agreed to furnish the poles, wires, insulators, and other necessary material for the construction of a line of poles and one wire, or more as it might elect, along future branches and extensions of the lines of the railway. The telegraph company was to furnish the poles, wires, insulators, etc., for the maintenance, operation, repair, reconstruction, or renewal of its lines and wires along the lines of railway. The telegraph company was to furnish the instruments, local batteries, stationery, etc., for the establishment, maintenance and operation of offices along the railway. The railway company was to furnish the labour and sectionmen, or other unskilled labour to dig holes and set poles, under the direction of the telegraph company's foreman. The same work was also done by the railway company in respect of the setting and resetting of poles and maintenance, repair, and reconstruction of the line. The telegraph company was to furnish skilled labour, string the wires, and furnish skilled repair men.

Provision was made for the railway company having the joint use of one wire in a specified territory, it being agreed that railway messages of an important character concerning the movement of trains, would have precedence on the said joint wire.

Provision was made that where the demand of the railway business was such as to necessitate an exclusive use of a wire, then such wire was to be provided, the telegraph company undertaking thereafter to provide a wire for commercial business, at its own expense. Provision was made for an additional wire being supplied for the railway business, the railway company agreeing to pay the telegraph company the cost of it.

Provision was made for the free transportation of messages for the offices and employees of the railway company. At the telegraph stations of the railway company, the employees of the railway company acting as agents for the telegraph company, were to receive, transmit, and deliver exclusively for the telegraph company. The railway company undertook to transport free of charge all persons in the employ of the telegraph company and travelling on the business of the company, and also trans-

port and distribute, free of charge, along the line of its railway, all poles and other material for the construction, maintenance, operation, repair, and reconstruction of the lines and wires covered by the agreement, and of such additional wires or lines of poles and wires as might be erected in connection with the agreement.

Provision was made whereby material to be used on lines beyond the line of the railway in question, were to be transported without charge to an amount computed at the regular transportation rates of the railway company, and not exceeding one-third of the amount of free telegraphic service which the telegraph company undertook to perform for the railway company off the line of its railway; and the telegraph company agreed to pay to the railway company one-half of its regular rates for the transportation of poles and materials in excess of the said amount.

The railway company granted the telegraph company the exclusive use and enjoyment of the right of way, lands, and bridges along the line of railroads covered by the agreement, for the construction, maintenance, operation, and use of telegraph lines of poles and wires for commercial or public uses and business, with the right to put up from time to time such additional wires and such additional lines of poles and wires as the telegraph company might deem expedient. The railway company undertook, in the event of another telegraph company seeking to enter upon the lands, line of railway, or bridges of the railway company for the purpose of constructing, operating, or using any telegraph line or lines of poles and wire or wires, to charge such other company the regular tariff rates of transportation on all materials and persons which should be charged, and that no delivery of poles, wires, etc., should be made for such company other than at railroad stations, unless the company was required by law to do so.

A similar agreement was entered into on November 2, 1908, between the Great North Western Telegraph Company and the Boston & Maine Railroad Company. Some differences in details are to be found. For example, in regard to the transportation of material for the construction of lines beyond the lines of the railway involved, the extent to which the free telegraphic service which the telegraph company undertook to perform for the railway beyond its lines of railways, was to be checked against the transportation service performed for the telegraph company to an amount not exceeding one-half of the said free telegraphic service.

Provision was made that, as compensation to the railway company for the service of its employees in the transaction of commercial or public telegraph business, and as the railway company's share in the revenue from such business, the railway company might retain 40 per cent of the cash receipts from such business at the said telegraph offices operated and maintained by it, tolls on ocean cable messages, and tolls or charges of other companies, except as hereinbefore mentioned; and the railway company agreed to pay to the telegraph company the remainder of such cash receipts in such manner and at such times as it might direct.

Whenever the number of paid and collected messages sent from any telegraph office of the telegraph company within the Dominion of Canada exceeded 5,000 in any one calendar year, the telegraph company was, upon the request of the railway company, to furnish and pay the salary of an operator at the said office as long as the said messages exceeded the said number per year, and was to retain all the telegraph receipts in the said office.

If the telegraph company elected to establish an independent office at a station of the railway company, the railway company was to furnish office room, light, and heat free of charge at such station; and if at any station where the telegraph company furnished the operator, one person could attend to the telegraph business of both companies, the agent of the telegraph company acting for and as the agent of the railway company was, if desired by the railway company, to do such business of the railway company without charge.

One other agreement may be referred to, being that entered into between the Great North Western Telegraph Company and the Quebec, Montreal & Southern Railway Company and the Napierville Junction Railway Company on May 1, 1911. This superseded other agreements hitherto in force.

Under this agrement, the usual grant of free right of way was made by the railway company to the telegraph company. It was also granted an exclusive right, it being agreed that either of the parties might license the use of its poles by others, for use of wires by other companies for telephone and other non-competitive purposes, the party owning the poles to be entitled to retain all the rental received for their use. The telegraph lines and poles, wires, fixtures, etc., covered by the agreement, whether owned by the telegraph company or by the railway company, were to form part of the general telegraph system of the telegraph company, and to be controlled and regulated by the telegraph company in respect of the transaction of commercial or public telegraph business.

In the event of the railway company constructing a branch or extension of any part of the railway covered by the agreement, and on which it owned a telegraph line, it was, at its own expense, to furnish material and labour and to construct and maintain a line of poles and one wire on the said branch or extension. In both cases, the lines so constructed were to come under the provisions of the agreement.

The schedules to the agreement set out certain lines to be used jointly, and certain lines to be used exclusively. It was agreed that the railway company's business in regard to the movement of trains was to have precedence over all other business on all joint wires. For the purpose of connecting the offices of the railway company in the towns or cities reached by its lines covered by the agreement, with its telegraph wires along the railway used for the railway company's business, and in order to connect the railway company's telegraph wires with the main office of the telegraph company, the telegraph company undertook to furnish the railway company, free of expense, the use of conductors in the telegraph company's underground conductors or aerial cables or wires on its pole lines on city routes where the telegraph company had established, or might hereafter establish, for its own business, underground conduits, or submarine or aerial cables of lines and poles.

Agreement was made as to the transfer to the railway company of the ownership of certain poles owned by the telegraph company along the line of railway. Either the railway company or the telegraph company might establish and maintain telegraph offices on the railway, covered by the agreement, as either might deem necessary. At all such offices, the railway company was to furnish instruments, switchboards, and local batteries and materials, and at places where the railway company might do a commercial or public telegraph business, the telegraph company agreed to supply blanks, forms, and stationery for such business.

The railway company was to furnish operators, office room, and light and heat at its own expense at all its telegraph offices. As compensation to the railway company for the services of its employees in the transaction of commercial or public telegraph business, and as the railway company's share in the revenue of such business, the railway company was to retain from the cash receipts at its telegraph offices maintained and operated by it in its railway depots and station houses, one-half of the cash receipts ; and in the case where it owned the line of poles and wires, it was to retain two-thirds. Where the telegraph company elected to furnish its own operator and establish an independent office in a railway station on a portion of the line where the telegraph company owned the telegraph line, the railway company was to furnish office room, light, and heat, and therefor to retain one-half of the cash receipts.

If at such station one person was able to attend to the telegraph business of both companies, the agent of the telegraph company, acting for and as the agent of the railway company in the premises, was to do such business of the railway company without charge.

Whenever the telegraph business of both companies at any such office became so large that more than one operator was necessary, the railway company was to employ and pay its own operator.

Other agreements differ in various particulars, but the general situation is that the telegraph company obtains a free right of way, and that it is granted exclusive rights as against any other telegraph company. The railway company obtains an arrangement for the transmission of its railway messages. When the business is small, there is the use of a joint wire, the railway train movement messages being given precedence. As business increases, provision is made for a commercial wire. The railway company is compensated for the work performed by it in connection with the commercial services, as well as for the general right conferred by it, and given a percentage of the cash receipts. Services are performed by the railway company in respect of the distribution of material for construction, or for reconstruction and maintenance. In general, the agreements entered into whereby a free right of way and exclusive occupancy thereof, as against any other telegraph company, is obtained, depend upon mutual obligations and on payments partly in service, partly in money.

Since the hearing was terminated, a working arrangement has been entered into between the Great North Western and the Canadian Northern Telegraph Companies, the essence of which is a unified operating control of the two systems. This means that the advantage of operation along the right of way of the Canadian Northern in the West is available for the joint systems.

The Grand Trunk Pacific has been constructed as part of the railway system. While the Canadian Northern is a separate corporation, distinct from the Canadian Northern Railway Company, it was constructed along with the railway and is closely bound up with it. The railway company owns all the stock and bonds of the telegraph company, amounting to $500,000 of stock and $800,000 of bonds.

The Canadian Pacific Telegraph Company has no capital and no separate property. It is a department of the railway and has been so constructed and operated.

Stress has been laid in the course of the hearing upon the advantage which the telegraph company obtains from construction on the right of way, it being stated that it thereby escapes the cost which would attach to acquiring a private right of way. However, there has been no case cited before the Board where the telegraph company has acquired and paid for a private right of way. The Canadian Pacific states that its records have been checked for the past twenty years and it finds no lines that have been constructed off the company's right of way during that time.

The Great North Western, in its argument, puts in a summary way the advantages which it considers attaches to this tying-up of the telegraph business to railway business: "In Canada, with its vast areas and sparse proportionate population, it would be impossible for a telegraph company to carry on a general commercial telegraph business independent of a line of railway. A telegraph company with a connecting system in the United States might operate trunk lines to a dozen of the important cities in Canada, but it would be commercially impossible to operate a network of lines throughout Canada independent of such railway connection. This has evidently been recognized not only by those intimately connected with the telegraph business, but also by outsiders, for when almost every conceivable project has been exploited in Canada during the last quarter of a century, no one has been foolhardy enough to attempt to promote and organize a purely commercial telegraph system. The cost of the construction of such a system not only would be materially increased, if constructed along the highways, but the cost of maintenance would also be very much greater, as upon the line of railway repairs may be rapidly and cheaply made by the delivery from the railway cars of the men and materials at the exact spot where repairs are necessary. In addition, a telegraph company operating with a railway company is enabled to avail itself of telegraph operators working for the railway company upon a commission basis."

The advantage of this close relation between the telegraph company and the railway company is seen in connection with operation. The Canadian Northern, at the time of the hearing, had nine commercial offices out of a total of 227, as distinct from offices where railway work was carried on. On the Canadian Pacific, out of some 2,000 offices on the system there are about 1,850 which are manned by officers of the railway company. The work of the commercial telegraph is more or less incidental to them, and they transmit messages in return for the payment of a commission. The commission paid is 10 per cent. In cases where the telegraph company has to utilize the services of a man engaged in store-keeping or other outside work, the commission paid is 20 per cent. The company claims that there is a great advantage in such arrangement, in that the railway employees paid on commission do not cost the telegraph company anything for wages; that they are at the service of the telegraph department and provide an organization without which the commercial telegraph department could not serve the public or extend its business, except at enormous cost for salaries and rent of offices.

It will be noted that on the figures given only 7½ per cent of the Canadian Pacific offices are manned by distinctly commercial employees. While it is contended that if there were no such relationship between the railway and the company it would be necessary to have men employed on wages, it should be pointed out that on what is submitted the general practice in commercial telegraph work is to have the great bulk of the offices worked on commission. This is no doubt due to the fact, as was pointed out in evidence by Mr. Camp, that in general the majority of the points where telegraph business is carried on do a relatively small volume of business. He stated in substance (Evid. Vol. 114, pp. 1220, 1221) that at about three-quarters of the telegraph offices there was a small volume of business, but that the small offices were kept open for the reason that if they were allowed to go out of business the larger offices would become unremunerative; that is to say, the matter had to be dealt with from the standpoint of average volume of business.

It has been contended that the commercial service performed is to a considerable extent in the nature of a by-product. From the standpoint of the Canadian Pacific the significance of the by-product nature of commercial telegraphy performed by a railway telegraph system was put in the following words (by Mr. Chrysler, Evidence Vol. 171, p. 1424).—

> "Personally I propose to argue later, when we reach the point of argument, that I do not think the question of the valuation of the telegraph companies' property has got very much to do with it. It is impossible to segregate that value from the value of the railway as it stands, constructed as it was as a means of operating the railway, a necessity for the operation of a railway, it is a sort of by-product. It is a sort of problem you get wherever you have a by-product in every industry, something that arises incidently because another business is being carried on. It is impossible to know how you arrive at the value of that. It would not be there if the main business was not being carried on. Without saying anything more about that just now, we do not regard the question of valuation as important."

In argument, the position has been taken that in estimating the net returns from telegraph business, there should also be taken into consideration the fact that if the telegraph business were divorced from the railway business, there would be additional costs. In so far as the allegation that the telegraph business separately managed would have costs for right of way, which it is not at present subjected to; this would, as already pointed out, seem not to be well taken. As to charging against the telegraph company various additional items of expense, it may be pointed out that where the telegraph company is operated by the railway company, it is in the first

instance constructed as a railway work and the costs are entailed as railway costs. The additional commercial service performed is in the nature of a by-product. But while this may be the condition in the first instance, the situation must be looked at as it at present exists.

VIII.

Where the telegraph company has been built either as part of the railway and under its general charter, or where, while built under a separate charter as in the case of the Canadian Northern, it is really part of the railway system, it is exceedingly difficult, in fact practically impossible, to arrive at the cost of the enterprise. Recognizing the difficulty of so arriving at original cost, Government counsel have laid stress on the cost of re-production and the return based thereon. The Canadian Northern stated in substance in evidence that the stock and bonds did not in any way represent the actual cost of the line; the stock and bond issue simply amounted to an arbitrary arrangement between the railway, the telegraph company, and the contractors.

The valuation as submitted by the Canadian Northern states that on June 30, 1911, it had 4,440 miles of pole line estimated to be worth $1,021,200; 13,550 miles of telegraph wire worth $273,500, making a total of pole lines and wires of $1,294,700. This would check out at an average valuation of $291 per mile.

The Canadian Northern in its answer, as set out in Exhibit 105, stated it was unable to give the information accurately as to what the original telegraph line cost, it being stated that some of the lines were built by contractors as part of their contract to construct the railway, and that a proper division was not kept. The estimate above given is based on the cost of the renewal work done by the railway company and not upon any inventory of valuation.

In Exhibit 108, the railway company gave a statement as to the cost of rebuilding on the Regina-Prince Albert Line, involving a distance of 250 miles. This cost $73,008.15, or an average of $292 per mile. Here, the old wire was used and transferred to the new pole line. The figures of cost submitted cover cost of pole line, including cost of labour, material, freight charges, supervision of restringing wires, as well as the additional cost of one copper and two iron circuits, and the necessary full complement of insulators. It included also the cost of station equipment and the cost of main line battery. It was stated that it was cheaper to transfer the wire from the old to the new pole line than it would be to distribute new wire and string the same.

It was pointed out by Government counsel that the Canadian Northern has no exclusive commercial telegraph wires, and that it therefore does not differentiate between commercial and railway telegraph.

The endeavour to analyze the financial situation of the Great North Western is complicated by the fact that it is obligated to make certain dividend payments to the Montreal Telegraph Company and to the Dominion Telegraph Company, while it is itself in turn closely bound up to the Western Union Telegraph Company.

The Montreal Telegraph Company was organized in 1847. The lines extended from Sackville, N.B., to Detroit, Michigan, and from Toronto to Buffalo, N.Y., as well as to the Northerly towns. The Dominion Telegraph Company was organized in 1870. It extended from Detroit, Buffalo, and Oswego, through Ontario, Quebec, and New Brunswick to the cable landing at Torbay, Nova Scotia. In 1879, the American Union Company, a telegraph company operating in the United States, obtained a lease of the Dominion Telegraph Company's lines, this lease running for a period of 99 years. Under the lease the lessee obligated itself to pay 5 per cent on the capital stock of the Dominion Company—this standing at $1,000,000—plus an additional annual sum of $2,500, and in addition the lessee assumed the bonded indebtedness of

the lessors, amounting to £60,000, or $293,860. The 5 per cent rental was to become 6 per cent in case the lines of the Dominion Telegraph Company were at any time amalgamated with those of any other Canadian Telegraph Company.

In 1881 the Western Union amalgamated with the American Union Company.

The charter of the Great North Western Telegraph Company had been granted in 1880, but little had been done by this company, the establishment of a line from Winnipeg to the International boundary between the United States and Manitoba being all that had been accomplished.

The Western Union Company acquired control of the Great North Western, and it was then arranged that this company should lease for a period of 97 years all the telegraph lines and equipment of the Montreal Telegraph Company, which lease was guaranteed by the Western Union. Under the lease the Great North Western obligated itself to pay the shareholders of the Montreal Telegraph Company an annual dividend of 8 per cent. The paid-up capital of the Montreal Telegraph Company was at the time $2,000,000. Thereafter the lease of the Dominion Telegraph Company's lines, excluding those in New Brunswick and Nova Scotia, east of Moncton, as well as a considerable portion of the same company's lines in the United States was assigned to the Great North Western. Put succinctly, the Great North Western controls the Montreal and the Dominion Telegraph Companies and is itself controlled by the Western Union.

The fact that long years have elapsed since the initial construction of many of the telegraph lines in the Great North Western System was undertaken appears to render it impossible here to get at original statements of costs. The cost of reproduction was submitted by the company. The estimated present value as of October, 1912, of the poles, wires, and cables of the Great North Western Telegraph Company is set out in Exhibit 121 as amounting to $1,744,410, while the estimated cost to erect these new is given at $2,282,115.

For the purposes of the investigation a valuation was made for the Canadian Pacific by Messrs. Bristol and Griffiths. This valuation shows a total as set out in Exhibit 48:—

EXHIBIT 48.

ESTIMATE OF VALUE OF PLANT—CANADIAN PACIFIC RAILWAY'S TELEGRAPH.

Pole line and equipment	$3,897,238 39
Wires	2,190,968 37
Cables	275,044 11
Call box system, Toronto, Montreal, etc. (4,865 boxes at $7)	34,055 00
104 linemen's equipment at $138.25	14,378 00
37 gangs' equipment (G.B.) at $646.49	23,920 13
Instruments	119,149 40
Batteries and dynamos	50,559 00
Furniture	41,109 00
Material in stock	50,000 00
Total	$6,696,421 40

Since the telegraph system performs a joint service, the question arises what apportionment of the cost of reproduction so arrived at should be made between railway and commercial use.

On the basis of the computations set out in Exhibits 50 and 51, the Canadian Pacific estimates the mileage of commercial telegraph lines to be 78¼ per cent of the whole, and the railway telegraph lines 21¾ of the whole. The division between the railway and telegraph departments was made by Mr. Camp in the proportion which the mileage of wires used for railway purposes and those used for commercial purposes bore to the total wires in use, dividing these wires jointly one-half to each. On

the basis of this apportionment, the railway divided the total cost as shown in its valuation as follows: $1,204,267 being chargeable to the railway and $5,492,153 being chargeable to the commercial telegraph department.

The criticism of this division by Government Counsel may be summarized. If the Company had no commercial system at all, it would require for its railway operation a number of miles of telegraph pole line equivalent at least to its railway mileage; that, so far as wires are concerned, purely railway purposes would demand at least two lines of wire, whether any commercial business was done or not. While it is stated that railway wires are occasionally used for commercial telegraph work, it is urged that this will take place on rare occasions or where the commercial telegraph business is very small. This is based on the statement of Mr. Camp in evidence that wherever there is much telegraph business a separate commercial wire is put in; and it is argued from this that where there is an appreciable volume of commercial business a separate commercial wire will be installed; and it is claimed, therefore, to be unfair to charge the occasional use of a railway wire for commercial purpose as if it were habitually so used.

In criticism of Mr. Camp's estimate that 78¼ per cent of miles of wires on poles should be charged to the commercial telegraph and the remainder to the railway, it is contended that such distribution of valuation of the pole line is on a wrong basis; that when the pole line was built, the whole of the capital expenditure incurred was for the railway proper and such expenditure was, therefore, railway expenditure, and it is urged that to carry on a commercial telegraph business over these poles meant no additional expenditure on pole lines, but simply an additional expenditure in the way of wires and the possible additions of cross-arms.

Government counsel then give a revised estimate which allocates $3,540,786.24 to the railway and the balance to the commercial use.

There are no returns showing the respective volumes of railway and of commercial messages handled by the system, consequently no allocation can be made on the basis of the respective users.

It does not appear, in view of the nature of the service performed, that there can be any such exactness of division as between the railway and the commercial uses as either method of division calls for. It, therefore, does not appear on what is before the Board, that the estimates so given enable the Board to arrive at a final conclusion of the ratio of profit properly allowable on the commercial service.

The operating revenues and expenses of the telegraph company were submitted according to the forms which had been for a long period of time made use of by the auditing department of the railway company. It was contended by counsel for the Canadian Pacific that while these returns might be satisfactory as between departments, they were not conclusive when looked at from the standpoint of an investigation to test the reasonableness of the rates charged; and it was claimed that in order to develop anything from the surplus earnings bearing upon the reasonableness of the rates, there should first be made all proper allowances to the telegraph department for the expenses which it would incur if it were a separate corporation or carrying on business independently. The contention was, in substance, that the net figures shown did not represent a true net after all proper deductions had been made.

For example, it was stated that from the net figures for the year 1910, as submitted, further deductions should be made as follows:—

(1) Expenses carried in accounts of Railway departments—	
(*a*) Salaries	$188,142 83
(*b*) Materials	116,818 56
(2) Expenses for maintenance; appropriations carried in railway accounts—	
(*a*) Salaries	90,347 13
(*b*) Materials	61,892 58
	$457,201 10

Undoubtedly the telegraph department of the Canadian Pacific Railway has advantages attaching to it as a result of its connection with the railway. The telegraph system was developed in the first instance as an aid to railway operation. It is contended that its use is now predominatingly commercial. In the argument of Canadian Pacific counsel, the cost of reproduction is stated to have so increased as between the date of the valuation and the submission of the argument as to stand at approximately $8,000,000. Evidence as to this is not submitted. But it is represented on behalf of the company that there have been increases which have been made and that these are primarily due to the needs of commercial business.

The methods of allocation of expense which the audit office has followed are apparently intended to facilitate comparisons as between departments. If, however, the rates of a particular service are to be regulated, it is legitimate to allocate to that service its proper costs. It is material that all the factors of cost properly chargeable thereto should be recognized, otherwise the rates attaching to one service might be revised at the expense of the returns attaching to another and entirely distinct service.

The telegraph service rendered by the Canadian Pacific is performed by a department of the railway. The service performed by the Great North Western is performed by a separate company. The telegraph department has its free right of way on the right of way of the railway, as has the telegraph company, the latter operating under an agreement. In both instances there are facilities afforded for the handling of railway telegraph business. The telegraph department of the Canadian Pacific has its material for construction and repairs handled without freight charges on the railway as has the separate and distinct telegraph company operating under an agreement. In the cost of reproduction of the Canadian Pacific Telegraph system as submitted there is no charge for freight.

As bearing upon the cost figures submitted, various other checks may be referred to. The official returns of the Dominion Government telegraph lines show an average of $244 per mile of pole mileage. This is exclusive of submarine wires.

The figures for the Dominion Government lines which are exclusive of equipment, working installations, etc., show an average of 1·033 wires per pole. This is made up of 1·003 galvanized iron wires and ·03 copper wires per mile of pole mileage. The Canadian Pacific, at the time of the hearing, showed an average of 6·23 wires per mile of pole line. This was made up of 2·19 copper and 4·04 galvanized iron wires. The prices of wire as contained in the company's exhibits have been checked by the Board's electrical engineer. The weighted average of the prices, according to the relative use of the different types of wire, gives an average price of $11.19 per mile of wire for galvanized iron wire and $45.49 for copper wire. At these prices, the wire of the Canadian Pacific in excess of that on the Dominion Government system would represent an addition of $142.02 per mile, which added to the average cost of the Dominion system per pole mile would represent an average cost per pole mile, exclusive of equipment, etc., on the Canadian Pacific system of $376.02.

The Government returns for the Western Union lines in Nova Scotia work out at an average of $316 per mile. This covers poles, cross-arms, and wire. These average 4 wires per pole, 2·9 wires being galvanized iron and 1·08 copper.

In Exhibit 97, statistics are furnished by the Grand Trunk Pacific Railway Company setting out the cost of construction. For the Lake Superior division, the average per mile is $291.22. Here there are two wires to each pole. For the prairie division there is an average of $343 per mile. This is for a line of four wires to the pole. The Mountain Division, section 1, shows a cost of $435 per mile, with an average of 4½ wires per pole. The Mountain Division, section 4, shows a cost of $606.93 per mile, with two wires to the pole. For branch line construction, with an average of 1·12 wires to the pole, the cost is $189.27.

The summaries above given give pertinency to the statements in evidence of Mr. Smith of the Grand Trunk Pacific Telegraph Company (Evid. Vol. 171, pp. 1404-05),

which are substantially that the cost of construction of telegraph lines cannot be reduced to a unit; that no two miles are alike, owing to the varying cost of labour and the varying cost of construction, particularly in the placing and planting of poles.

After the hearing, it was represented by Government counsel that as a means of checking the cost of reproduction figures of the Canadian Pacific, it would be of value to take out a section of telegraph line and have a check made of the figures. This has been done by the Board's Electrical Engineer for the section of line between Vaudreuil and Ottawa. His estimate covers cost of the wire, labour of erecting wire, cost of poles, digging post-holes and erecting posts, cross-arms in position, insulators. It will be seen that this is independent of instruments, office installations, etc., as was the estimate of the Canadian Pacific which has been checked. The result is a figure which is 7 per cent below that of the Canadian Pacific, or a revised cost of reproduction of $369 per mile. This may be compared with the figure given above checked on the basis of the cost of the Government Telegraph system.

A check has also been made of the prices of wires, poles, instruments, etc. The figures used are based chiefly on prices paid by the Canadian Pacific Railway Company, as shown in their Stores Department records of the past few years, and are such as in the opinion of the Engineer represent reasonable replacement values. Pole prices were obtained from the tie department of the railway company. Prices for iron wire have been checked against actual purchases. Copper wire has had a fluctuating price. The price as given in the estimate is a reasonable one. On galvanized iron wire, the prices are checked as being from $1.27 to $2.66 per mile too high.

Dealing with instruments, such as sounders, the prices as checked are about the same as submitted. In a few cases the checked price is higher than the price used in the estimate of the company. In the case of repeaters, by taking the lowest price paid for the individual instruments making up the repeater sets, a price reduced by 11 per cent was available.

In connection with the method of construction, anchors are noted as being a fair price. Insulators check up the same price as submitted by Mr. Beatty.

To the cost of instruments, the Canadian Pacific added 25 per cent for labour, wire, etc., installing. The engineer estimated that if this amount were deducted and the remainder regarded as the installed cost of the apparatus, the estimate would be a more reasonable one.

Checking these figures out as against the total valuation already given by the Canadian Pacific Railway Company, this would mean an approximate reduction of 7 per cent.

The situation which is presented is substantially on all fours with that dealt with in the Western Rates Investigation. There, the Board had to deal with an old established railway, the Canadian Pacific, doing business on a large scale; with a newer railway, the Canadian Northern, which was yet in the construction period and whose traffic was in the process of development; and with the Grand Trunk Pacific, a road which was still in the construction period and whose traffic was less developed than that of the Canadian Northern. In the present application, the Canadian Pacific has a developed business and a through system. The Canadian Northern has, since the hearing, been linked up with the Great North Western through an operating arrangement. The Grand Trunk Pacific Telegraph Company is in a development situation and has but recently put in tariffs covering the territory from points adjacent to the City of Quebec to Prince Rupert.

Under these conditions, the cost of re-production of a system whose traffic has reached a high point of development is no more necessarily conclusive as to reasonableness than would be the cost of reproduction of the system wich is least favourably situated in point of traffic so far developed, and which in terms of the Government returns is operating at a deficit. As was pointed out in the Western Rates Case, the situation confronting the Board was in the words of the late Chief Commissioner

Mabee: *"The question for us to decide is what rates are fair irrespective of how much any company is worth or is not worth." 17 Can. Ry. Cas., 194.*

In its decision in the Western Rates Case, the Board used the following language:—

> "As already pointed out, the Board must take into account the fact that the western business will be divided in the future among three railway companies, and that the present returns of the Canadian Pacific cannot be taken as of necessity showing the continued earnings of that company."

Ibid 214.

A similar situation will naturally present itself in connection with the telegraph situation. With the expansion of the telegraph lines along the lines of railway, the various larger centres will be subjected to service competition, and the result will be a subdivision of the business.

The matter cannot be looked at either from the standpoint of the most favourably situated company in point of earnings, or from the standpoint of the least favourably situated company. It has to be recognized that where telegraph lines either compete in a given territory or traverse contiguous portions of the same general territory, there must be a uniform standard of rates. Only where the telegraph line is situated in a relatively isolated condition can the rates thereon be dealt with entirely from the standpoint of the peculiar traffic and other conditions pertaining to the line so situated. What is necessary to do then is to arrive at a reasonable adjustment of rates having regard to the traffic offering and probable expansion thereof, as well as the question of a fair return.

By Section 4 of 7 and 8 Edw. VII, Chap. 61, notwithstanding anything in any Act heretofore passed by Parliament "all telegraph tolls to be charged by the company" are to be subject to the approval of the Board. In effect here, as in the Express Investigation, the maximum tolls for commercial service are before the Board for approval; and the burden is on the Board to see that in such approval proper standards of reasonableness are adhered to.

X.

The Canadian Pacific telegraph system extends from the Atlantic to the Pacific. The territory therein embraced is subdivided into sections as follows:—

New Brunswick and Nova Scotia.

Section 1. Quebec and Ontario, east of and including Windsor and Sudbury.
Section 2. Ontario, west of Sudbury to and including Nipigon.
Section 3. Soo Branch.
Section 4. Ontario, West of Nipigon.
Section 5. Manitoba.
Section 6. Saskatchewan East.
Section 7. Saskatchewan West.
Section 8. Alberta, Main Line and branches South.
Section 9. British Columbia, Main Line East of and including Kamloops and Okanagan Branch.
Section 10. British Columbia, all lines and West of Kamloops.
Section 11. Alberta, North of Main Line.
Section 12. Manitoba, for United States rates only.
Section 13. British Columbia, Kootenay East of and including Kootenay Landing.
Section 14. British Columbia, Kootenay West of Kootenay Landing.

In a portion of the territory east of the Great Lakes, in which the lines of the Great North Western are located, there is an identity of sections as between the Canadian Pacific and the Great North Western. In the territory from the head of the Great Lakes up to and including Alberta, there is a general identity of sections so far as the Canadian Northern and the Canadian Pacific are concerned. Provisions as to the sections of the former company in British Columbia are not before the Board, there being no tariffs filed in respect of the Canadian Northern lines in this province. East of Port Arthur, the section system of the Grand Trunk Pacific differs in certain respects, later to be referred to, from that of the Canadian Pacific. From Port Arthur westward, to and including Alberta, there is a general agreement with the section system of the Canadian Pacific. In British Columbia, there are differences later to be referred to.

These sections or zones as originally formed in the west were purely empirical, there being no experience to go by. It was stated in evidence that the zones and rates in the West were worked out by Mr. Hosmer and his private secretary, at the time when the Canadian Pacific was beginning its business in the West. It began telegraph business west of the Great Lakes before it began business east thereof. It appears that the rates established were based largely upon the experience of the United States and especially that of the Western States, the rates then prevailing being considered and without reference to the rates in Eastern Canada.

The comparisons already given have given details throwing light on the increase of business and the variations therein. The variation in the business may be shown by a comparison of the increases for the different divisions of the country.

As already pointed out, comparisons made by Government counsel as between the East and the West are between the territory east of Sudbury and that west thereof. Ordinarily, in traffic comparisons, the distinction is made with a dividing line at Fort William.

The railway has for its telegraph company a performance sheet which gives details as to messages by divisions. Exhibits covering the period from 1907 to 1912 were filed at the hearing. The returns for 1914 and 1915 have been obtained so that comparisons may be made. The returns are not made in terms of the territorial limits of the sections into which the territory is divided for telegraph purposes and for which rates are quoted. Instead, they are given by railway operating divisions, viz., Atlantic, Eastern, Ontario, Lake Superior, Manitoba, Saskatchewan, Alberta and British Columbia. While these divisions enable comparisons to be made as between sections east and west of the Great Lakes in respect of volume of traffic, they do not enable comparisons to be made between telegraph sections or between provinces.

For although provincial names are used, there is in some instances a subdivision; in others there is an overlapping.

The territorial limits of the railway divisions are as follows:—

Atlantic.—All lines between St. John and Megantic, Que.

Eastern.—All lines between Megantic, Que., Smith's Falls and Chalk River.

Ontario.—All lines between Smith's Falls, Windsor and MacTier.

Lake Superior.—All lines between MacTier, Chalk River, Sault Ste. Marie and Fort William.

Manitoba.—All lines between Fort William and Broadview, Bredenbury, Neudorf, Arcola and Estevan.

Saskatchewan.—All lines between Broadview, Swift Current, North Portal, Arcola, Neudorf, Bredenbury, Shaunavon, Hardisty, and Kerrobert.

Alberta.—All lines between Swift Current, Field, Kootenay Landing, Coutts, Rocky Mountain House, Edmonton, Hardisty, Kerrobert, and Golden to Colvalli.

British Columbia.—All lines between Field and Vancouver and west of Kootenay Landing.

It thus appears that in the divisions west of the Great Lakes, Manitoba comprises a portion of Ontario on the east and stretches into Saskatchewan on the west. Saskatchewan stretches into Alberta at Hardisty, while Alberta is likewise continued into Eastern British Columbia.

Under these conditions, while comparisons may be made of totals, nothing absolute can be deduced therefrom in regard to the volume of traffic in particular zones or provinces, or as to the territory which should properly be included in a section or zone.

Until 1909 inclusive, the returns combined Saskatchewan and Alberta, subject to the caution set out in the preceding paragraph, the following summary statement of messages sent, expressed in percentages of the total for each year, may be given.

	Messages Sent Percent of Total.	
	East.	West.
1907	51·22	48·78
1908	51·48	48·52
1909	49·90	50·10
1910	46·65	53·35
1911	45·06	54·94
1912	41·82	58·18
1913	42·82	57·18
1914	45·60	56·40
1915	50·21	49·79

For the years 1907 to 1912 and 1914 and 1915, which permit comparisons to be made of an expansion period with a period when the readjustment attributable to the business depression was being felt, the total number of messages sent on the system was 28,079,705, and the total revenue therefrom $15,829,169. Of this, the messages sent in the West, i.e., Fort William and west thereof, represent 52.8 per cent, while the proportion of revenue was 55.3 per cent. For the total period 1907 to 1915, inclusive, the percentages are 53.4 per cent and 55.9 per cent respectively.

In the West, until 1915, the figures show that the receipts from local, conjoint and cable messages have a greater percentage proportion in the total receipts than is the case in the East. In the period 1906 to 1915, inclusive, the proportion of revenue attributable to this service in the case of the Canadian Pacific has varied from 87 per cent to 89 per cent, the latter point being reached in 1910. From 1907 to 1912, inclusive, the proportion in the East varied from 84 per cent to 89 per cent, while in the West it was from 91 per cent to 93 per cent. For 1915, the percentage both east and west is the same, viz., 88 per cent.

Whereas in the west the message and cable business as distinct from other sources of revenue has played a greater part in the business, any decrease in such business has a more far-reaching effect than it has in the East where the distribution has been wider.

Comparisons of the telegraph business in the East and in the West show that on the whole the business of the East is steadier and less subject to fluctuation. Taking the number of messages sent in 1907 as a base in each case, the following comparative summary for the periods 1907-1912 and 1914-1915 is available:—

	Messages Sent	
	East.	West.
1907	100 %	100 %
1908	94·9%	93·8%
1909	104·8%	111·1%
1910	113·1%	135·8%
1911	125·3%	152·8%
1912	135·8%	200·2%
1914	130·5%	163·5%
1915	131·5%	136·1%

The extreme spread in the East is 541,246; in the West it is 1,247,615. The expansion in the West is sharper; the contraction is more abrupt. As between 1912 and 1915, there is a percentage decrease in the one instance of 4·95 per cent and of 31·6 per cent in the other.

Comparison for the different divisions may be given for the years 1914 and 1915, in percentages of the volume of business for the years 1910, 1911 and 1912. It should be noted that the sudden expansion of business in Saskatchewan from an almost negligible quantity to a large amount prevents this being considered as being as characteristic as the percentages of the other divisions.

Taking 1910 figures as the base, the following percentages are available:—

	1914.	1915.
Atlantic	98·0	102·2
Eastern	119·7	124·8
Ontario	120·5	120·1
Lake Superior	92·8	79·3
Manitoba	104·1	96·4
Saskatchewan	241·3	219·0
Alberta	118·9	94·3
British Columbia	103·5	78·6

With 1911 as the base the following percentages are available:—

	1914.	1915.
Atlantic	85·7	89·4
Eastern	108·7	112·6
Ontario	109·0	108·7
Lake Superior	84·4	72·2
Manitoba	104·5	96·3
Saskatchewan	102·6	91·9
Alberta	113·1	89·0
British Columbia	90·2	66·9

With 1912 figures as the base, the following percentages are available:—

	1914.	1915.
Atlantic	84·6	88·4
Eastern	96·4	101·2
Ontario	96·3	96·1
Lake Superior	80·1	68·5
Manitoba	79·9	73·7
Saskatchewan	80·5	71·6
Alberta	93·7	16·3
British Columbia	71·8	56·2

When the figures for 1914 and 1915 are analyzed, it will be found that in 1914 the peak load came in August in all the divisions except Alberta, where it was in June. In 1915, different conditions existed. The peak load occurred in August in the Lake Superior Division and the British Columbia Division; in October, in the Eastern, Ontario, Manitoba, Saskatchewan and Alberta Divisions, while it came in December in the Atlantic Division.

The analysis on which this is based may be put in a more detailed way.

Atlantic.—The spread in 1914 was 4,996, while in 1915 it was 3,909. In 1914, the volume was extremely fluctuating from month to month. In 1915, with the exceptions of May and June when there was some falling off, there was a steady progression to December.

Eastern.—The spread in 1914 was 34,045, while in 1915 it was 34,077. In 1914, there was a steady increase from February to August, a slight falling off in that month, and then a sharp decline to December. In 1915, there was a fairly steady movement month by month to November, when there was a 4 per cent falling off in December.

Ontario.—The spread in 1914 was 22,543, while in 1915 it was 27,808. There was, with the exception of February, a steady upward movement from January to August,

and then there was a falling off to December which was about 10 per cent less than January. During 1915, there was a steady upward movement, with slight fluctuations, until October from which point there was a falling off to December representing about 6¼ per cent.

Lake Superior.—The spread in 1914 was 8,110; in 1915 it was 4,234. In 1914, there was an upward movement from April to August and then a falling off. In 1915, there was an upward movement from February to October, and then a falling off.

Manitoba.—The spread in 1914 was 36,620 while in 1915 it was 52,594. There was in 1914 a general increase from January to July; then came a sharp increase in August, then a gradual falling off until November, with a sharp decline in December. The messages sent in August to November represented 43 per cent of the total. In 1915, there was a gradual increase from January to August, then a sharp increase in September, going still higher in October and falling off in December to about the point reached in September. In the months September to December, 48 per cent of the messages were sent.

Saskatchewan.—The spread in 1914 was 15,291, while in 1915 it was 26,014. There was in 1914 a gradual upward movement from January to July, then an increase in August and a falling off from that point to December. In the months August to December 43 per cent of the messages were sent. In 1915, there was a fairly steady upward movement to August, then came a sharp increase in September the increase going higher in October, and although there was a falling off from this point December was on a higher level than August. In the period September to December, 55 per cent of the messages were sent.

Alberta.—The spread in 1914 was 41,061, while in 1915 it was 25,358. There was an increase in 1914 from January to June, then a falling off to December. In 1915, there was a gradual increase from February to October. In the months of September and October, 42 per cent of the messages were sent.

British Columbia.—In 1914 there was a spread of 24,499, while in 1915 it was 12,046. In both years, August was the peak.

Put in a general way, there is on the figures available less seasonal fluctuation in the sections east of the Great Lakes. The importance of the grain crop in the West makes any change in its fortunes quickly felt. While there was an increase in the grain movement in 1915, due to the harvest of that year, no doubt the general average was detrimentally affected by the short crop of the preceding year which lessened the amount of telegraphic business normally to be expected.

The decrease in messages sent during 1915 was almost wholly in the West. There were increases in the Atlantic and Eastern Divisions, a small increase in Ontario—approximately 2,000,—and a decrease in the Lake Superior Division. Taking the gross decrease, the percentages attributable to the section west of the Great Lakes work out as follows:—

Manitoba	14·3%
Saskatchewan	11·3%
Alberta	30·3%
British Columbia	38·3%

That is, of the total decrease these sections represented 94.2 per cent.

XI.

The rate of 25 cents per section or zone is the unit of charge, this charge being for a day message of ten words. The address and signature are not charged for. It has been stated in evidence by Mr. Camp, for the Canadian Pacific, and by Mr.

McMichael, for the Great North Western, that the average telegram would run at least fourteen words, exclusive of address and signature. It was also stated that a statistical check showed that the average number of words in the address, destination and signature exceeded ten. In addition to the rate per ten words, there are extra word charges varying with the message charge for ten words. This will be dealt with later.

As indicative of the method of rate progression used, the following tabular summaries may be referred to, the rates being for a ten word day message:—

From Section 1 to Section 2	$0 50	
" " 1 " " 3	0 50	
" " 1 " " 4	0 75	
" " 1 " " 5	0 75	
" " 1 to Sections 6-14, inclusive	1 00	
From Section 5 to Section 4	0 40	Eastward.
" " 5 " " 3	0 60	Eastward.
" " 5 " " 2	0 60	Eastward.
" " 5 " " 1	0 75	Eastward.
" " 5 " " 6	0 40	Westward.
" " 5 " " 7	0 60	Westward.
" " 5 " " 8	0 60	Westward.
" " 1 to Sections 9-14, inclusive	0 75	

It is recognized that distance is not to the same extent a controlling factor as in freight or in passenger rates. The distance is, of course, one factor; but it has been recognized in the zone principle adopted and the tapering of rates whereby on a transcontinental message the zone system is applied to a still greater extent, that it is justifiable to have reduction of gross rate as the distance increases. By gross rate is meant the sum of the local rates of the various zones through which the message passes. This is recognized to some extent in the case of messages between adjacent zones, for while, in some instances, the sum of the locals is charged, in other cases, e.g., between Sections 5 and 4 and between Sections 5 and 6 a 40-cent rate is charged. The same arrangement is found in the case of a message moving between Sections 13 and 14. Again, ordinarily, where a message moves from one zone through a second into a third, the charge is the sum of the locals. That is, a message so moving between three sections would cost 75 cents. For example, this is the rate from section 1 to section 4—a three-section movement. But in the case of the three-section movement between section 5 and section 3, the rate is 60 cents instead of the sum of the locals which would give 75 cents. A similar condition exists in the movement from section 5 to section 7. Again, in the case of a four-section movement from section 1 to section 5, the message passes through sections 1, 2 and 4 into 5. This on the sum of the locals would give $1 instead of the rate as charged of 75 cents. In the movement from section 5 to section 10, the message passes through sections 5, 6, 7, 8 and 9 into 10. This on the sum of the locals would give $1.50 instead of 75 cents, the rate as charged. Further, the maximum rate of $1 may, on a transcontinental message, cover the movement from Halifax to Vancouver, i.e., a movement through ten sections.

Further modifications are to be found in the case of points which are given special rates. For example, points which are situated on or adjacent to the boundary between two sections receive a special rate adjustment. Kenora, Keewatin and Ingolf are shown as both in section 4 and section 5, with instructions to use the lowest rate. These points are adjacent to the boundary. In effect, there is thus an eastward extension of the territory of the Manitoba section, section 5, as the section rate applies. Calgary is located on the boundary between sections 8 and 11. The single zone rate applies between Calgary and Edmonton. A similar situation exists in regard to the rate between Saskatoon and Calgary.

Reference has been made to the fact that the rate from section 1 to section 4 is on a 75-cent rate, the movement being a three-section one. This is, however, modified by a special rate of 60 cents applying between section 1 and Port Arthur and Fort William.

It thus appears that while the principle of tapering the rate as the distance increases is recognized, the recognition is not uniform.

It further appears that there is a somewhat complex system of section or blanket rates. First, there is the ordinary local or section rate; then as the distance increases the rate is blanketed over a series of sections so that in actual practice on the longer movements there are rate sections which comprise, as in the examples above cited, as many as six successive sections.

XII.

Various factors which it is claimed are proper to consider in testing telegraph rates and areas have been referred to.

Stress is laid by the companies on the "value of the service" as the proper measure of the reasonableness of the rates involved.

It is contended by the Canadian Pacific that the sole measure of the reasonableness of the rates involved is the value of the service; and, in substance, the contention is advanced that since the service has been made use of at the rate charged, and at the same time the volume of business has increased, this is evidence that the rates as charged are reasonable.

In discussing the "value of the service," the argument of counsel for the Canadian Northern Telegraph Company sets out that there is much competition in the transmission of messages, the various choice of methods of transmission being set out as by mail, telephone, lettergrams, night telegrams, day telegrams; and it is urged that ordinarily the sender of the message may choose any one of these several methods of communication, and that he is, therefore, in his choice governed entirely by the idea of the value of the service of the method of communication chosen.

The argument is in substance that where there are a number of methods of transmission varying in expense, the fact that the transmitter chooses the more expensive service, preferring to pay the amount charged rather than do without the service, is evidence that the charge is reasonable.

The argument assumes that the types of service performed are in substance the same. But they manifestly differ in value. The element of time, the question of expedition, questions whether direct personal conversation is required—these and other factors enter in to differentiate the services. The fact that a man will pay the amount asked for rather than do without the service is evidence of the fact that he will, if compelled, pay the amount charged rather than do without the service; but it has no final bearing on the reasonableness of the charge.

The value of the service in practice, while it may determine the outer boundary of the maximum charge, is limited to something inside of this—what the traffic will bear. The sense in which this latter basis has been applied in connection with the distribution of rate charge is a rate schedule, or ratings in a classification, has been so often set out that it is not necessary to amplify it here. It may be said, however, that while it is a principle or, perhaps more exactly, a practice which may be invoked, for example, in regard to the distribution of rates between low grade and high grade commodities, it is only one of the factors which a regulative tribunal must consider in dealing with the reasonableness of a rate.

The argument that when the individual has a choice of methods of transmission the service rendered by the method of transmission chosen by him is worth the price charged because he prefers the service having such a charge, cannot well be taken as affording a conclusive criterion of reasonableness. It further disregards the fact that the Railway Act following in general, what is laid down in regard to railway transportation has put the regulation of telegraph charges under the jurisdiction of the Board as it has also done, for example, in the case of telephone, express, and sleeping-car service. Had Parliament accepted the fact that a man may haul his goods by

wagon or may ship them by rail and concluded therefrom that the choice of the rail service showed that it had such a value of service that it was worth whatever may be charged therefor, there would have been no regulative power in respect to the limits of rates. Again, a man has the option of shipping L.C.L. lots by freight or by express. The latter affords an expedited service with the incidents of personal supervision, and in certain cases either collection or delivery or both of these services. The fact that the shipper sees fit to accept the more expensive method of shipment is not accepted by Parliament as establishing that the expensive service so shown has a value of service which is inevitably worth the price paid. Similar comment may be made by way of examination of what has been provided in the Railway Act in regard to telephone and sleeping-car service. It might, for example, be urged that a man has the option of travelling in an ordinary passenger coach or in a chair or sleeping car. It might be contended that if a man, having such a choice, saw fit to choose the more expensive service that was conclusive evidence of the value of the service to him of the more expensive service and of the reasonableness of the charge made.

The Railway Act, in its sections granting regulative powers in regard to various utilities, has not seen fit to accept the principle Counsel for the Canadian Northern contends for. In substance, this principle would be that where there is a choice as between services, one or more of which may be within the Railway Act and one or more outside thereof, or where there may be a choice between services which are within the Railway Act, the acceptance of the more expensive service is conclusive evidence of the reasonableness of the charge therefor. This would lead to the conclusion that if there is a choice between telephone service and telegraph service, both of which are within the Railway Act, or between freight and express service, which are similarly situated, then if the rate for one service had been found reasonable any higher rate which a man, desirous of using the second method of service concerning whose rate no finding had been made, might be called upon to pay and would pay sooner than be without the service, would be reasonable. It is sufficient to say that the scheme of the Railway Act does not proceed on this theory of comparative reasonableness which the argument of counsel presents.

XIII.

From the Atlantic to the Pacific there is a $1 rate. This rate covers the advantage of a long distance transmission. Between various points, Vancouver and Montreal for example, there are through wires especially devoted to this long distance business. It is necessary to have relays along such a wire which will give additional battery power, thereby facilitating the long distance transmission. Under ordinary weather conditions, the relays will be called upon to give additional battery power, roughly about every 450 or 500 miles. In favourable weather conditions, battery power will be necessary from intervening relays. The long distance service is complicated and relatively expensive to keep up.

The $1 rate from the Atlantic to the Pacific is, everything considered, a reasonable rate, but certain adjustments and modifications of the lower rates are necessary and justifiable.

The 25-cent rate has been in existence apparently since the beginning of the telegraph business in Canada. Government Counsel consider this rate as not being an unreasonable one. Counsel for the Great North Western submitted some evidence bearing on the contention that the rate was unreasonably low. It was argued that at the time the rate was established the company had no competition in the business, but that subsequently the entrance of a competing telegraph company, the Canadian Pacific, into the business as well as the development of telephone connection, resulted in a subdivision of the business. It is also contended that costs of operation, wages, etc., have been increased.

The Counsel for the Great North Western in printed argument submitted that there should be either a revision of rates or a subdivision of zones in Eastern Canada. A case for such revision of rates or subdivision of zones in the territory in question has not been made out.

As has been pointed out, the general scheme of rates from section to section is built up on the sum of the locals. Where there is a considerable volume of business, the companies have in various instances recognized this by giving rates lower than the sum of the locals.

One factor which should be considered in this connection is that transmission costs do not increase in the same ratio as the particular business handled. The transmission is practically instantaneous and thereby there is not, as has already been pointed out, a volume of costs incidental to the message and following the message in the same way as train operation costs may be said to follow the freight movement. The system of blanketing already indicated whereby the rate groups increase in size with the increase of the rate is, perhaps, a partial recognition of this; but some other readjustments are necessary.

Subject to the $1 rate as a maximum, the existing rates should be revised in accordance with the attached table of reasonable maximum rates.

Sec. A.	Sec. 1.	Sec. 2.	Sec. 3.	Sec. 4.	Sec. 5.	Sec. 6.	Sec. 7.	Sec. 8.	Sec. 11.	Sec. 13.	Sec. 14.	Sec. 9.	Sec. 10.	—
·25	·30	·60	·75	·75	·75	$1·00	$1·00	$1·00	$1·00	$1·00	$1·00	$1·00	$1·00	Sec. A.
	·25	·50	·50	·65	65	80	1 00	1·00	1·00	1 00	1 00	1·00	1·00	Sec. 1.
		·25	·40	·40	·55	·70	·80	1·00	1·00	1·00	1·00	1 00	1·00	Sec. 2.
			·25	·50	·55	·70	·80	1·00	1·00	1·00	1·00	1·00	1·00	Sec. 3.
				·25	·35	50	·65	·75	·80	1·00	1·00	1·00	1·00	Sec. 4.
					·25	·35	·50	·60	·65	·65	·65	·65	·65	Sec. 5.
						·25	·35	·50	·50	·65	·65	·65	·65	Sec. 6.
							·25	·35	·35	·50	·65	·50	·65	Sec. 7.
								·25	·35	·40	·55	·40	·60	Sec. 8.
									·25	·50	·60	·50	·60	Sec. 11.
										·25	·35	·35	·50	Sec. 13.
											25	·35	·50	Sec. 14.
												·25	·35	Sec. 9.
													·25	Sec. 10.

XIV.

The Grand Trunk Pacific Telegraph Company provides, on account of the different territory traversed, for a somewhat different division of territory into sections from that made use of by the Canadian Pacific.

The Grand Trunk Pacific sections begin with section 2.

Section 2 extends from Quebec to Cochrane.

Section 3 extends from Cochrane to Grant.

Section 4 extends west from Grant to Reddit, Ont., including the Superior Branch to Port Arthur.

Groups 4 to 11, inclusive, are comparable with those of the Canadian Pacific.

British Columbia is divided into four groups, which according to the section maps cover approximately the following territory:—

Group 15 extends from Edson, Alberta, to the western boundary of Alberta. Edson, for rate purposes, is in both section 11 and section 15.

Group 16 extends from the western boundary of Alberta to Vanderhoof, B.C.

Group 17 extends from Vanderhoof to Smithers.

Group 18 extends from Smithers to Prince Rupert.

While from section 1, in Eastern Canada, as referred to earlier, the rate to Vancouver is $1, from section 2 of the Grand Trunk Pacific Telegraph Company, to Prince Rupert, in section 18, the rate is $1.25, this rate being applied to section 17 as well. In connection with the four sections provided for by the Grand Trunk Pacific in respect of its main line mileage, as compared with the two on the main line mileage of the Canadian Pacific in British Columbia, it is to be remembered that from Winnipeg to Prince Rupert is 1,748 miles as compared with 1,470 miles from Winnipeg to Vancouver. Mileages from Winnipeg to given points in the Grand Trunk Pacific sections are illustrative:—

From Winnipeg to Tete Jaune, 1,097 miles, Section 15.
" " Prince George, 1,281 miles, Section 16.
" " Vanderhoof, 1,350 miles, Section 16.
" " Endako, 1,397 miles, Section 17.
" " Perav, 1,470 miles, Section 17.
" " Prince Rupert, 1,748 miles, Section 18.

From Stephen, at or near the boundary of British Columbia, to Vancouver is 524 miles, while from Yellowhead to Prince Rupert is 703 miles. Section 15 begins at Edson which adds 122 miles to the mileage embraced in the four zones, or a total of 825 miles.

Sections 2 and 3 are arranged on the basis of the 25-cent rate per section and there is a 25-cent "jump" between the sections. Sections 4 to 11, inclusive, are on the same tariff scale as the identical Canadian Pacific sections.

Sections 15 and 16 have each a 25-cent local, while 17 and 18 have each a 40-cent local. From section 15 to section 16, the rate is 40 cents, while to sections 17 and 18 the rates are 60 cents and 75 cents respectively. From section 16 to sections 17 and 18 the rates are 50 cents and 60 cents respectively, while between sections 17 and 18 the rate is 50 cents.

Sections 2 and 3 are concerned with new territory along the line of the National Transcontinental. While in general telegraph rates, so far as scales of rates are concerned, have to be looked at from a general standpoint so that a scale for the various telegraph companies concerned in a given territory may be arranged, here there is a line of one company in a new section where traffic has to be developed and where the volume of business must be for some time of necessity slight. Under these conditions, the rates as provided for in the tariffs between these sections and between points in these sections and points in other sections of the Grand Trunk Pacific Telegraph System do not appear to be unreasonable.

Sections 4 to 11, inclusive, lie in a belt of territory where a common scale for all the companies concerned must apply. There is an appreciable volume of traffic in existence and the conditions are not so experimental as in the case of sections 2 and 3. Subject to this exception, the rates in the territory from section 4 to section 11, inclusive, are to comply with the general directions hereafter given.

Sections 15 to 18, inclusive, are located in a territory whose traffic has yet to be developed. The portion of telegraph line concerned is isolated from that of other lines; so, while in general the creation of telegraph rates must be looked at from the standpoint of a general scheme of rates, here the particular facts of this particular section may and must be considered.

An idea of existing conditions and the volume of telegraph business at present offering may be obtained from a comparison of the rates charged by the Government Telegraph System with those set out in the Grand Trunk Pacific tariffs. While the latter are set out by sections, the tariff of the Government System appears to a greater extent to be concerned with a distance basis. In so far as comparisons can be made

on the two systems between points on the railway or between points on the railway and points contiguous thereto, the following summary may be referred to:—

	Government Rate.	G.T.P.	
Prince Rupert—Hazelton	$0 75	$0 40	(Section 18)
Morricetown	1 00	0 40	(Section 18).
Lorne Creek	0 75	0 40	(Section 18).
Frazer Lake	1 25	0 50	(Section 18 to Section 17).
Telkwa	0 75	0 50	(Section 18 to Section 17).
Burns Lake	1 25	0 50	(Section 18 to Section 17).
Burns Lake—Morricetown	0 50	0 40	(Section 18).
Telkwa—Fraser Lake	0 75	0 40	(Section 17).
Burns Lake—Lorne Creek	1 00	0 50	(Section 18 to Section 17).

Of the Government telegraph rates above set out, those between Hazelton and Prince Rupert and between Telkwa and Prince Rupert are special rates forming exceptions from the local tariff.

Points of comparison between section 18 and section 16, along the line of railway, are not available. Soda Creek, on the Government System, has a rate of $1.50 from Prince Rupert, while the Grand Trunk Pacific has a rate of 60 cents for messages between sections 18 and 16. Soda Creek is situated at considerable distance south of the railway and nothing final can be built on the comparison. No points within section 15 are contained in the Government local tariff; so comparison cannot be made here.

The rates charged by the Government Telegraph System are not, of course, conclusive as to what is reasonable, except in so far as conditions are identical; but they afford evidence pointing that way. In so far as there are differences in the nature of the construction and the cost of upkeep, it is pertinent to consider these as well as other material differences. Comparing pole mileage and wire mileage, the Government Telegraph System in British Columbia averages 2·7 wires per pole, while the railway system averages 4·4 wires.

In so far as cost of construction is concerned, the railway system being built along with the railway had the advantage of greater ease in the distribution of material and handling of supplies, with a consequent opportunity for economy in initial costs, as compared with the Government System. Against this is to be balanced the fact that the Government System is, in places at least, of light construction, while the railway telegraph system is admitted to have the most modern and up-to-date construction. The expense of this construction is evidenced in the fact that, for example, on section 4 of the Mountain Division, from Prince Rupert east, the cost of blasting for post-holes in some cases was $113.73 per mile. On section 4 of the Mountain Division, the railway telegraph system cost $606.93 per mile. It may also be noted that 40·5 per cent of the wire mileage of the railway system is copper, while only three one-hundredths of one per cent of the Government System is constructed of this material.

The valuation given for the Government telegraph lines in the Telegraph Statistics, as published by the Department of Railways and Canals, shows a total of $2,411,550. This gives a general average of $244 per pole mile for the whole system. The figures as given do not differentiate for the system by provinces. If the figures were available, there would undoubtedly be a higher figure per mile in British Columbia since, while the general average per pole mile of the system is 1·4 wires, in British Columbia the average is, as has been pointed out, 2·7.

The Government Telegraph System was built as a telegraph system pure and simple. In the case of the railway, there is a double use. In the first instance, there is a railway service and the commercial use is, so to speak, a by-product. This must be taken into account in connection with other factors in considering how far within the limits which the Government has found reasonable, due consideration having been given to the traffic offering, the rates of the railway telegraph system should, with a view to what is reasonable, be placed.

The Government telegraph rates have, as has been indicated by the examples, been in general built up on distance. This is subject to special rates being given between certain points. The railway telegraph rates are built upon a zone system whereby within zones as well as between zones the disadvantages of distance are equalized in a flat price.

Consideration must be given to the fact that the section in question is just in its beginning. That volume of traffic which is admittedly important in bringing about reductions in rates and which is advanced by the companies themselves as a justification of special reductions, is not present. The Government rates afford one index of this.

Under the existing circumstances, and for the time being, the division of this section of territory into four sections is justifiable.

The 25-cent local rate is general in Canada. Within sections 15 and 16, the 25-cent rate is provided for. No good reason appears why the same local rate should not apply within section 17 and within section 18. The other rates as between sections may, until changed conditions justify reduction, if any, remain as provided for in the tariffs.

Subject to what is above set out, the Grand Trunk Pacific should have the same rate scale and section areas as laid down in the general directions.

XV.

It is the practice of the companies in the case of points located practically on the boundary lines of the sections to provide that these points shall be in both the sections divided by the boundary line, according as the rate is lower. Examples of this have been given in earlier connections. The same arrangement should be continued in the readjustment of the rate areas as directed.

As incidental to the handling of messages, the evidence is that the telegraph companies have provided for free delivery limits in practically all the cities of Canada. Rule 49 of the Canadian Pacific Tariff Book provides that "telegrams will be delivered free within what are considered the corporate limits of towns or villages. Beyond the free delivery limits only the actual cost of delivery service must be collected." The same regulation is to be found in Rule 73 of the Great North Western Tariff Book, and in Rule 61 of the Grand Trunk Pacific. The question to what extent delivery limits may be established is one which must be dealt with by the company, subject to its actions not being discriminatory.

Within sections 1, 2 and 3, there is a provision for a rate of 15 cents, day or night, applying within a distance of 12 miles. It is suggested that this arrangement be made general. The evidence is that this rate is not made use of and that it is in fact a paper rate. A paper rate is not a measure of unjust discrimination, and the question of whether the rate may be justifiably extended to other sections which show no evidence as to a traffic demand, for it is a question of traffic expediency for the company to deal with; for the establishment of experimental rates to develop business is a matter which falls within the company's discretion.

British Columbia News Co. v. Express Traffic Association, 13 Can. Ry. Cas., 177.

In section A and section 1, the excess word rate is 1 cent; in all other sections it is 2 cents per word. The excess word rate in each section should be 1 cent.

As already set out, the rates in the territory embraced in Grand Trunk Pacific sections 4 to 11 are to be the same as those in the adjoining sections 4 to 11 of the Canadian Pacific territory, and the same excess word rates will therefore apply. In the case of messages from sections 2 or 3 into this territory and vice versa, and in similar movements as between sections 15 to 18, inclusive, and this territory, the

excess word rates appropriate to the day rates provided for in the Grand Trunk Pacific tariffs may apply as maxima.

Where there is a movement between exclusive offices involving the carriage of a message over two lines, it is recognized that there are costs additional to those pertaining to a message handled by a single company between two points on its own system. At the same time, it is not reasonable that the sum of the full locals should be charged. The companies should, therefore, provide in their tariffs to cover such a movement over two lines, or more than two lines if such case there be through rates substantially less than the sum of the locals.

The section system is modified as to the transition from one section to another by the 100-mile rule. As provided for in the Canadian Pacific tariffs, this is that a higher rate than 25 and 2—i.e., 2 cents per excess word—will not be charged between offices that are not more than 100 miles apart by wire mileage, no matter in what different sections these may be. This does not apply in the case of offices east of section 1. A similar arrangement is in existence in the case of the Great North Western, although it is not properly provided for by tariff. The Grand Trunk Pacific telegraph tariffs carry the notation: "A higher rate than 25 and 2 will not be charged between offices that are not more than 100 miles apart (by wire)."

It is suggested that this distance should be increased to 250 miles. The 100-mile distance is something added to the rate section in order to ease the sharp transition from one section to another. It is a concession compared with what is done in freight rate practice; for while there in the case of rates grouped on producing points the attempt is made to have the group rates break between producing points, none the less there is the sharp transition from group to group which is inseparable from the difference in rate. The same thing is presented in any freight tariff where there is a mileage grouping basis, the rate advancing by groups of miles. The 100-mile rule is a reasonable concession to meet this situation in telegraphic transmission, and an addition to it at present is not justified. The arrangement as at present provided for is reasonable and should be continued.

Night rates cover telegrams filed before midnight to be transmitted some time during the night at the convenience of the telegraph company, and delivered in the morning.

The deferred message service thus carried on has a lower basis than that of the day message, but is related to it.

While there is a convenience to the sender because of the lower rate basis, there are also advantages to the company. There tends to be an additional volume of business attracted by the rates so offered; and in addition it enables a more economical utilization of the company's operating staff since it is able to distribute the burden during both day and night.

It was stated by Mr. Camp, in evidence, that the practice of having night rates had existed, so far as his company was concerned, ever since the Canadian Pacific Telegraph Department had been in existence.

The Canadian Pacific gives detail for rate groups advancing by 5, 10 and 15 cent steps. For purposes of summary presentation the 25, 30, 40, 50, 60, 75 cents and $1 rate may be taken. To this may be added a $1.25 rate to cover the extreme range within Canada of the Grand Trunk Pacific telegraphs. The rates for night rates and for night lettergrams are as follows:—

Where Day Rate is.	Night Rate is.	Night Lettergram is. First 50 Words.	Night Lettergram is. Each Additional 10 Words or less.
$0 25—1	$0 25—1	$0 25	$0 05
0 25—2	0 25—1		
0 30—2	0 25—1		
0 40—3	0 30—2	0 40	0 08
0 50—3	0 30—2	0 50	0 10
0 60—4	0 50—3	0 60	0 12
0 75—5	0 60—4	0 75	0 15
1 00—7	0 75—5	1 00	0 20
1 25—8	1 00—7	1 25	0 25

In the case of the Canadian Pacific, the Great North Western and the Grand Trunk Pacific, each company has night rates applicable between offices on its respective system. The Great North Western has night rates between all its offices and those of the Western Union. In general, the night rate message has the same word basis as the day rate message, viz., 10 words. Attention was drawn to the fact that in section 1 and in the Maritime Provinces 25 words can be sent at night for the day rate, while in the other sections 10 words can be sent. As, however, as pointed out in the next paragraph, there are in these other sections, as in the sections in question, night lettergram arrangements whereby 50 words may be sent for the day rate, it does not appear necessary to follows this phase of the matter further.

There has come into existence of recent years the night lettergram arrangement whereby a deferred message service of greater volume, catering especially to business needs, is available. The Canadian Pacific tariff books provide that night lettergrams may be accepted for all checked direct offices in Canada and the United States, i.e., all Canadian Pacific offices in Canada and all postal telegraph offices in the United States. The Great North Western will accept night lettergrams for points on its own lines and for points on the lines of the Western Union. It also accepts such messages for "other line" offices. From a check, it appears that this covers practically all "other line" points in Canada. The Grand Trunk Pacific has night lettergram rates between all offices on its system.

It does not appear that there is any such condition existing as to require at present any specific direction being made.

XVI.

The matter of public notice being given as to the tariffs applying on messages is covered by Order No. 6679 of March 26, 1909, which provides *inter alia*:—

> "And it is further ordered that every such telegraph company deposit and keep on file at each of its offices or stations where telegrams are received for transmission, in a convenient place, open for the inspection of the public during office hours, a copy of each of its tariffs in use thereat; and post a notice at each office or station, prominently and in large type, informing the public that the company's tariffs of telegraph tolls in use at the said office or station are open to inspection and may be seen upon application to the operator or other person in charge; and by general order direct its employees to produce, on request, any particular tariff in use at that office or station which any applicant may desire to inspect."

XVII.

While the present investigation is concerned with the reasonableness of the maximum rates on commercial land messages, it is submitted by Government counsel, in their argument, that the present basis of cable rates is unfair to western points. It is stated that from as far west as Kenora a cable can be sent to Great Britain for 25 cents a word; that out of this the Canadian Pacific gets 4 cents a word for taking the message to Canso, and the balance of 21 cents goes to the cable company. If, on the other hand, the message originates in, say Manitoba, the charge is 34 cents, of which the cable company gets 25 cents a word and the Canadian Pacific gets 9 cents a word. It is pointed out that on messages from further west 12 cents per word is received by the Canadian Pacific as its proportion, and this is stated to be out of proportion to the commercial land rates as at present existing.

While code words may be used in ordinary commercial land business, the evidence is that they are used to a much greater extent in cable business.

Under the International Telegraph Service Regulations, code words must not be longer than ten characters according to the Morse alphabet, this being subject to the restriction that "the words whether genuine or artificial must be formed of syllables capable of pronunciation according to the current usage of one of the following languages: German, English, Spanish, French, Dutch, Italian, Portuguese, or Latin."

To the extent that there is a greater use of code words in cable business there is greater difficulty in transmission, not only on account of the code words being longer, on the average, than plain language words, but also on account of their being code words errors in spelling are less easily checked. Aside from the advantage of business secrecy attaching to the use either of code or of cipher, the fact that the address and signature are not free as in the case of land business, makes for the use either of code or of cipher as giving the maximum amount of transmission in the minimum bulk of message. It does not appear that the two types of business are properly comparable.

The matter of control over cable business was dealt with in 9-10 Edw. VII, chap. 57. Under this, provision was made for including cable service within the purview of the word "toll," as defined in chapter 61 of the statute of 1908. Provision was also made for the inclusion within "traffic," as defined in the last-mentioned statute, of cable messages "transmitted from Canada to any other country by means of any marine electric telegraph or cable line; or, to Canada, or from any other country by the like or similar means; or, through or into, or from any part of Canada by means of any marine electric telegraph or cable lines acting in conjunction with marine electric telegraph or cable lines, by means of a through route or otherwise."

The Act in question was to come into force upon similar provision being made by the proper authority in the United Kingdom and upon proclamation of the Governor in Council.

The Act has not yet come into force and the Board has no jurisdiction.

It is alleged that the basis used is a wrong one, as the cable company "performs no additional service" as between the 25 cent rate and the 34 cent rate. Having no jurisdiction, the Board is not empowered to deal with the question of the "additional service," if any, performed by the Cable Company. What is involved is the question of a division of a through rate between a company over which the Board has jurisdiction and one over which it has none. The division of a through rate as between companies is primarily an inter-company matter and does not directly concern the public. What does concern the public is whether the total rate is reasonable. While comparisons have been made between the land haul portion of the through cable rate and the commercial message rate, such identity in character as would be necessary to make this conclusive is not shown, and justification for revision of the land haul portion of the cable rate is not established.

XVIII.

The matter of forms which was undertaken prior to the present investigation, and which of necessity has stood with it, will be dealt with separately.

XIX.

Tariffs carrying into effect the directions herein contained to be filed so as to be effective within 90 days from the issuance of the order.

Concurred in by Assistant Chief Commissioner Scott and Mr. Commissioner Goodeve.

Judgment, Chief Commissioner Drayton, March 29, 1916:

Commissioner McLean has written a very full and complete judgment in this matter, has done much research work, and made numberless calculations upon a difficult question.

While I had not the advantage of being in this case at its inception, I entirely agree with the reductions that he makes.

Although it may be said that Winnipeg, for example, is not practically injured by the fact that Montreal may be able to despatch a message at a lower rate into certain territory, owing to the fact that in no sense are the business activities of either city competitive one against the other in such territory, nevertheless, there would seem to be no reason why telegraph charges should not be based to a greater extent on distance than they have in the past.

I agree that as a matter of practical administration, for reasons set out in Mr. McLean's judgment, zone rates of necessity must be adopted, and zone rates as a matter of fact are the rates submitted by Government counsel. Nevertheless the question of distance as urged by Mr. Pitblado should be given greater consideration in settling zone areas than at the present.

The Board, however, is faced with the difficulty created by the Special Act referred to in the judgment, enforcing as it does the continuance of the large areas of section 1. The discrimination complained of is the result of the spread of that section. I entirely agree, however, that the record and financial conditions disclosed do not justify the Board in adopting the size of this section as the standard for the whole rate structure.

In any system of zones there are, of course, anomalies, which, however, would be reduced if the zones approached each other more nearly in dimension. For example, in eastern Ontario a telegram from North Bay to Sault Ste. Marie, a distance of 258 miles, is carried for 50 cents, while as a result of irregular sections, and the disproportionate size of section 1, the charge from North Bay to Quebec is 25 cents.

In like manner, the rate from Toronto to Sault Ste. Marie, a distance of 442 miles, is 50 cents, while under Mr. McLean's judgment the rate from Winnipeg to Prince Albert, 541 miles, or to Saskatoon or Regina, is 35 cents.

The effect of the judgment, of course, is to reduce the rates of zones to a parity, not only in the initial charge, but also in extra words, so that any question of discrimination between zone and zone will disappear.

The effect of the large zone in the east may again plainly be illustrated by the fact that the charge for a telegram from Winnipeg to North Bay is 75 cents, while the same wire is carried at the same rate to Quebec, and indeed to St. John. Under the judgment, the rate from Winnipeg to Fort William becomes 35 cents. This may be compared with the 35 cent rate from Minneapolis and St. Paul to Chicago, the mileage being practically the same.

APPENDIX "D."

SIR,—I have the honour to submit for the Eleventh Report of the Board, a memorandum of the freight, passenger, express, telephone, sleeping and parlor car, and telegraph schedules filed with the Board from November 1, 1904, to March 31, 1915, and and from April 1, 1915, to March 31, 1916, inclusive; also of the more important orders relating to traffic issued by the Board from April 1, 1915, to March 31, 1916.

SCHEDULES RECEIVED FROM NOVEMBER 1, 1904, TO AND INCLUDING MARCH 31, 1915.

FREIGHT—			
Local tariffs	8,510		
Supplements	19,055	27,565	
Joint tariffs	18,093		
Supplements	56,082	74,175	
International tariffs	79,738		
Supplements	246,197	325,935	
			427,675
PASSENGER—			
Local tariffs	7,706		
Supplements	8,957	16,663	
Joint tariffs	4,697		
Supplements	8,335	13,032	
International tariffs	13,028		
Supplements	21,030	34,058	
			63,753
EXPRESS—			
Local tariffs	4,795		
Supplements	51,683	56,478	
Joint tariffs	3,470		
Supplements	11,658	15,128	
International tariffs	1,767		
Supplements	959	2,726	
			74,332
TELEPHONE—			
Local tariffs	912		
Supplements	872	1,784	
Joint tariffs	2,221		
Supplements	4,534	6,755	
International tariffs	427		
Supplements	5,808	6,235	
			14 774
SLEEPING AND PARLOR CAR—			
Local tariffs	56		
Supplements	58	114	
Joint tariffs	28		
Supplements	60	88	
International tariffs	44		
Supplements	114	158	
			360
TELEGRAPH—			
Tariffs	99		
Supplements	99	.....	198
Combined totals, all schedules			581,092

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SCHEDULES RECEIVED FROM APRIL 1, 1915, TO AND INCLUDING MARCH 31, 1916.

FREIGHT—			
Local tariffs	1,156		
Supplements	2,147	3,303	
Joint tariffs	3,431		
Supplements	6,372	9,803	
International tariffs	11,599		
Supplements	27,966	39,565	
			52 671
PASSENGER—			
Local tariffs	1,639		
Supplements	2,095	3,734	
Joint tariffs	1,450		
Supplements	2,306	3.756	
International tariffs	2,028		
Supplements	5,523	7,551	
			15,041
EXPRESS—			
Local tariffs	128		
Supplements	449	577	
Joint tariffs	190		
Supplements	378	568	
International tariffs	1		
Supplements	2	3	
			1 148
TELEPHONE—			
Local tariffs	56		
Supplements	176	232	
Joint tariffs	30		
Supplements	1,776	1,806	
International tariffs	1		
Supplements	822	823	
			2,861
SLEEPING AND PARLOR CAR—			
Local tariffs	9		
Supplements	17	26	
Joint tariffs	8		
Supplements	13	21	
International tariffs	17		
Supplements	79	96	
			143
TELEGRAPH—			
Tariffs	3		
Supplements	13	.....	16
Combined totals, all schedules			71,880
GRAND TOTAL			652,972

SUMMARY OF TRAFFIC ORDERS OF GENERAL INTEREST ISSUED DURING THE YEAR ENDED MARCH 31, 1916.

No. 23475, April 3, 1915. Approves of agreement for the interchange of telephone services between the Bell Telephone Company and the Erie Telephone Company, Limited.

No. 23497, April 8, 1915. Extends to the annexed district formerly known as North Toronto, the tolls charged by the Bell Telephone Company of Canada within the limits of the Toronto Exchange.

No. 23533, April 12, 1915. Temporarily approves the Toronto, Hamilton & Buffalo Railway Company's new form of livestock special contract.

No. 23550, April 14, 1915. Approves an amended standard tariff of maximum freight rates, C.R.C. No. 3, to apply between the stations of the Salisbury & Albert Railway Company.

No. 23553, April 16, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Municipal Corporation of the Township of North Easthope.

No. 23570, April 16, 1915. Approves Supplement No. 7 to the Express Classification for Canada No. 3.

No. 23571, April 19, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Sutton & North Gwillimbury Telephone Company, Limited.

No. 23572, April 21, 1915. Reduces the rate on alfalfa meal, in carloads, from Enderby, B.C., to Duncan, B.C., and thereby establishes a basis for fixing freight rates on alfalfa meal to Vancouver Island points.

No. 23581, April 20, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Ivy Thornton Telephone Company, Limited.

No. 23584, April 21, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Aberdeen-Plummer Centre Line Telephone Association, Limited.

No. 23631, April 28, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Rose Mutual Telephone Association.

No. 23632, April 28, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Woodbridge & Vaughan Telephone Company, Limited.

No. 143 (General Order) April 29, 1915. Requires railway companies to refund to ticket holders, within thirty days from demand in the case of single line tickets, and within sixty days in the case of joint tickets, the cost of the said tickets if unused in whole or in part, less the regular fare for the distance for which such tickets may have been used, and imposing a penalty for default.

No. 144 (General Order) April 29, 1915. Amends sub-section (c) of Section 5 of the Express Merchandise Receipt so as to make express companies liable for loss of or damage to express freight caused by negligence of the railway companies upon whose line the express companies operate. Also prescribes labels to be affixed to express shipments so as clearly to show whether the express charges are prepaid by shipper or are payable by consignee.

No. 23691, May 14th, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Lennox Telephone Company, Limited.

No. 23692, May 14, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Mount Albert Telephone Company, Limited.

No. 23709, May 19, 1915. Approves the standard tariff of maximum freight rates, C.R.C. No. 1, to be charged between the stations of the Glengary and Stormont Railway Company.

No. 23710, May 19, 1915. Approves the standard tariff of maximum passenger fares, C.R.C. No. 1, to be charged between the stations of the Glengarry and Stormont Railway Company.

No. 23758, May 28, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Innisfail Telephone Company, Limited.

No. 23819, June 9, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Municipal Corporation of the Township of Tuckersmith.

No. 23854, June 14, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Municipal Corporation of the Township of Otonabee.

No. 23860, June 16, 1915. Approves a form of special contract, or release of responsibility, of the Canadian Pacific Railway Company, in connection with the carriage of perishable freight in cold or stormy weather on the company's western lines.

No. 23861, June 15, 1915. Approves a standard tariff of maximum freight rates, C.R.C. No. 21, to be charged between the stations of the Moncton and Buctouche Railway Company.

No. 23862, June 15, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Farrellton Rural Telephone Company, Limited.

No. 23866, June 17, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Municipal Corporation of the Township of Moore.

No. 23875, June 18, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Municipal Corporation of the Township of McKillop.

No. 23894, June 22, 1915. Prescribes conditions for the carriage of flax seed in bulk at owner's or carrier's risk of leakage, respectively, and disallows the conditions heretofore imposed by the railway companies.

No. 23900, June 26, 1915. Approves the standard tariffs of maximum freight and passenger tolls to be charged between the stations of the London and Port Stanley Railway Company.

No. 23901, June 23, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and Hogg and Lytle, Limited.

No. 23914, June 28, 1915. Further extends, until December 1st, 1915, the time limited by section 4, chap. 61, 7-8 Edward VII, for the approval of tolls for the transmission of messages between points in Canada west of North Bay, also between points west of North Bay and points east thereof and east of and including Windsor, Ont., charged by the Great North Western Telegraph Company of Canada.

No. 23916, June 28, 1915. Further extends, until December 1st, 1915, the time limited by Section 4, Chapter 61, 7-8 Edward VII, for the approval of tolls for the transmission of messages between points in Canada west of and including Sudbury, also between points west of Sudbury and points east thereof and east of and including Windsor, Ont., charged by the Canadian Pacific Railway Company's Telegraphs.

No. 23918, June 28, 1915. Further extends, until December 1st, 1915, the time limited by Section 4, Chapter 61, 7-8 Edward VII, for the approval of tolls for the transmission of messages between points in Canada except between local offices on the Ottawa division, and between them and Swanton, Vermont, charged by the Grand Trunk Pacific Telegraph Company.

No. 23919, June 28, 1915. Further extends, until December 1st, 1915, the time limited by Section 4, Chapter 61, 7-8 Edward VII, for the approval of tolls for the transmission of messages between points in Canada, charged by the White Pass and Yukon Route.

No. 23920, June 28, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and La Compagnie de Téléphone de Beauce.

No. 23921, June 28, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the People's Mutual Telephone Company, Limited.

No. 23927, July 2, 1915. Suspends and disallows tariffs of the railway companies providing for a charge of $2.50 for cleaning and disinfecting single deck stock or box cars, and $4 for double deck stock cars.

No. 23934, July 2, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Municipal Corporation of the Township of Chinguacousy.

No. 23944, July 5, 1915. Requires the construction of an interchange track in the Town of Cobourg, Ont., between the Grand Trunk and Canadian Pacific Railways.

No. 23953, July 5, 1915. Requires the Grand Trunk and Grand Trunk Pacific Railways to publish a rate of 3½ cents per 100 lbs. on brick from Milton, Terra Cotta, Cheltenham, and sidings between Milton and Campbellville, to Toronto.

No. 146 (General Order), July 7, 1915. Prescribes regulations covering (A) Joint Tariff Concurrences; (B) Filing of Joint tariffs to United States points or to Canadian points through the United States, and (C) tariff changes and suspensions.

No. 23960, July 7, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Hamilton Rural Telephone Company, Limited.

No. 23964, July 9, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the St. Marys, Medina and Kirkton Telephone Company, Limited.

No. 23990, July 16, 1915. Requires the Dominion Atlantic Railway to furnish bills of lading for the actual number of barrels of apples loaded by shippers in cars from warehouses within one hundred yards of agency stations instead "shipper's count" bills of lading as heretofore.

No. 23991, July 17, 1915. Requires the Bell Telephone Company to charge the residence rate instead of the business rate for telephone furnished the Rev. H. Deroches of Quebec City.

No. 23996, July 22, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Municipal Corporation of the Township of Rochester.

No. 23997. July 22, 1915. Approves a release of responsibility, Special Contract, of the Grand Trunk Pacific Railway Company, in connection with the transportation of perishable freight in cold or stormy weather.

No. 24007, July 20, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Haldimand Rural Telephone Company, Limited.

No. 24027, July 31, 1915. Permits the Canadian Pacific and Grand Trunk Railways to increase the rate on building brick from Cooksville, West Mimico, and Port Credit, to Toronto, from 2½ cents to 3 cents per 100 lbs., subject to the proviso that such rates shall include track delivery at all Toronto terminal points.

No. 24034, July 30, 1915. Requires express companies to omit from consignee's receipt for goods delivered, such words as "in good order," or "in apparent good order," with liberty reserved to the consignee to qualify his receipt in accordance with the facts as to condition of freight.

No. 24039, August 3, 1915. Requires the Canadian Northern Railway to accept from the Grand Trunk Railway, at Lyn, Ont., less than carload shipments of goods for forwarding to Canadian Northern Railway points.

No. 24040, August 3, 1915. Requires the Canadian Pacific Railway to amend its distributing tariff from Winnipeg, St. Boniface, Paddington and North Transcona, so as to apply the same rates to Two Creeks, Man., as to Elkhorn, Man.

No. 24047, July 26, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Municipal Corporation of the Township of North Colchester.

No. 24051, August 4, 1915. Requires the Canadian Northern Express Company to restore its collection and delivery service at Athens, Ont.

No. 24052, August 5, 1915. Approves the Standard Maximum Tariff of Parlor Car Tolls, C.R.C. No. S—1, of the Halifax and South Western Railway Company.

No. 24073, August 12, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Campbell's Bay Rural Telephone Company, Limited.

No. 24074, August 11, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Zorra Telephone Company, Limited.

No. 24075, August 11, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the North Huron Telephone Company, Limited.

No. 24097, August 16, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Molesworth Independent Telephone Company, Limited.

No. 24098, August 16, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the South Plantagenet Rural Telephone Company, Limited.

No. 24102, August 19, 1915. Allows increased rates on pulpwood from Canadian Pacific and Grand Trunk Railway shipping points to Mechanicsville, N.Y., via Boston and Maine Railroad, and rescinds Order No. 23020, dated December 22, 1914.

No. 24103, August 19, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Municipal Corporation of the Township of Plummer Additional.

No. 24126, August 30, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Muskoka, Victoria and Haliburton Telephone Company, Limited.

No. 24127, August 30, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Noisy River Telephone Company, Limited.

No. 24128, August 26, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Mornington and Wellesley Telephone Company, Limited.

No. 24129, August 29, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the South Bruce Rural Telephone Company, Limited.

No. 24130, August 26, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the New Dundee Rural Telephone Company, Limited.

No. 24132, August 28, 1915. Approves a Release of Responsibility Special Contract of the Canadian Northern Railway Company, in connection with the transportation of perishable freight in cold or stormy weather.

No. 148 (General Order) September 1, 1915. Authorizes the railway companies in Alberta and Saskatchewan to endorse on bills of lading amounts advanced by the Government, by way of relief, in connection with shipments of seed grain, etc., under the authority of Order in Council, dated July 23, 1915.

No. 149 (General Order) September 14, 1915. Provides regulations covering connection between the Bell Telephone Company and independent telephone companies.

No. 24188, September 18, 1915. Approves Supplement No. 5 to Canadian Freight Classification No. 16.

No. 24200, September 20, 1915. Approves the Canadian Northern Railway Company's Standard Maximum Freight Mileage Tariff, C.R.C. No. W.—862.

No. 24225, September 28, 1915. Approves Kettle Valley Railway Company's Standard Maximum Passenger Tariff of Sleeping and Parlor Car Tolls, C.R.C. No. S—2.

No. 24254, October 2, 1915. Approves the Canadian Northern Railway Company's Maximum Passenger Tariff, C.R.C., No. W—1283, at three cents a mile, Edmonton,

Alberta, to and including Tollerton, Alberta, and four cents a mile west of Tollerton to and including Vancouver, British Columbia.

No. 24285, October 5, 1915. Approving an agreement for the interchange of telephone services between the Bell Telephone Company and the Warwick Telephone Company.

No. 24286, October 6, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Schomberg Telephone Company, Limited.

No. 24287, October 5, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and Municipal Corporation of the Township of Widdifield.

No. 24288, October 5, 1915 Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Prescott Rural Telephone Company, Limited.

No. 24289, October 5, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Municipal Corporation of the Township of Colborne.

No. 24290, October 6, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Russell Rural Telephone Company, Limited.

No. 24291, October 6, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Belmont Telephone Co-Operative Association, Limited.

No. 24292, October 6, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Mount Forest, Wellington & Grey Telephone Company, Limited.

No. 24318, October 15, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Southwold & Dunwich Telephone Association, Limited.

No. 24341, October 18, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Fingal Telephone Company, Limited.

No. 24342, October 18, 1915. Approves Edmonton, Dunvegan & British Columbia Railway Company's Standard Maximum Sleeping and Parlor Car Tariff, C.R.C. No. S—1.

No. 24348, October 20, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the McKillop, Logan & Hibbert Telephone Company, Limited.

No. 24354, October 22, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Lake of Bays & Haliburton Telephone Company, Limited.

No. 24355, October 22, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Beeton Telephone Company, Limited.

No. 24357, October 25, 1915. Approves Canadian Northern Railway Company's Standard Maximum Tariffs of Sleeping and Parlor Car Tolls, C.R.C. No. E. S-2, to apply on the Company's eastern lines, and C.R.C. No. W S-8, to apply on the Company's western lines.

No. 24358, October 25, 1915. Approves Standard Tariff of Maximum Express Tolls, C.R.C. No. 834, to apply on the Mountain Division of the Canadian Northern Express Company, west of Tollerton, Alberta.

No. 24370, October 28, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the West Williams Rural Telephone Association, Limited.

No. 24374, October 28, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Nelson Telephone Company, Limited.

No. 24376, October 28, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the People's Telegraph & Telephone Company, Limited.

No. 152 (General Order), November 2, 1915. Prescribes tolls for refrigerator cars furnished for the carriage of vegetables.

No. 24395, November 2, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Barton & Binbrook Telephone Company, Limited.

No. 24406, November 5, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Lanark & Carleton Counties Telephone Company, Limited.

No. 24407, November 5, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Rural Telephone Company of Kitley, Limited.

No. 24408, November 5, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Bracebridge & Muskoka Lakes Telephone Company.

No. 24428, November 10, 1915. Approves Standard Mileage Tariff of Maximum Tolls, C.R.C. No. 1, of the Central Canada Express Company, operating on the Edmonton, Dunvegan & British Columbia Railway.

No. 154 (General Order), November 10, 1915. Requires railway companies to publish in commodity tariffs specific ratings on cream pasteurizers, coolers, etc., pending issue of new classification.

No. 155 (General Order), November 15, 1915. Prescribes a toll of 75 cents for cleaning and disinfecting, or disinfecting, cars used for the transportation of livestock.

No. 24436, November 11, 1915. Authorizes the Canadian Pacific Railway to charge special tolls for the detention of cars loaded with western grain and held more than 72 hours at Cartier, Ont., for orders.

No. 24456, November 19, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Yarmouth Rural Telephone Company, Limited.

No. 24457, November 18, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the corporation of the township of Tay.

No. 24458, November 18, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Bolton Telephone Company, Limited.

No. 24462, November 19, 1915. Requires the Grand Trunk and Canadian Pacific Railway Companies to sell tickets for the Canadian Northern Railway on the train floor in Union Station, Toronto.

No. 24476, November 22, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Goodwood Rural Telephone Company, Limited.

No. 24487, November 24, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the New Glasgow Telephone Company, Limited.

No. 24488, November 24, 1915. Authorizes the Canadian Pacific Railway to make a charge of $1.75 per car for switching cars between the dock and team-tracks and private sidings at Kelowna, B.C.

No. 24491, November 27, 1915. Further extends, until July 1, 1916, the time limited by Sec. 4, Chap. 61, 7-8 Edward VII, for the approval of tolls for the transmission of messages between points in Canada, except between local offices on the Ottawa Division, and between them and Swanton, Vermont, charged by the Grand Trunk Pacific Telegraph Company.

No. 24492, November 27, 1915. Further extends, until July 1, 1916, the time limited by Sec. 4, Chap. 61, 7-8 Edward VII, for the approval of tolls for the transmission of messages between points in Canada west of and including Sudbury, also between points west of Sudbury and points east thereof and east of and including Windsor, Ont., charged by the Canadian Pacific Railway Company's telegraphs.

No. 24493, November 27, 1915. Further extends, until July 1, 1916, the time limited by Sec. 4, Chap. 61, 7-8, Edward VII, for the approval of tolls for the transmission of telegraph messages between points in Canada, charged by the White Pass and Yukon route.

No. 24507, November 29, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Ernestown Rural Telephone Company, Limited.

No. 24508, November 29, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and La Compagnie de Telephone Rural de Ste. Sabine.

No. 24540, November 30, 1915. Further extends, until July 1, 1916, the time limited by Sec. 4, Chap. 61, 7-8 Edward VII, for the approval of tolls for the transmission of messages between points in Canada west of North Bay, also between points west of North Bay and points east thereof and east of and including Windsor, Ont., charged by the Great North Western Telegraph Co., of Canada.

No. 24534, December 4, 1915. Approves an agreement for the interchange of telephone services between the Bell Telphone Company and La Compagnie de Telephone, Ste. Cecile de Whitton.

No. 24535, December 4, 1915. Approves an agreement for the interchange of telephone services between the Bell Telphone Company and the Wroxeter Rural Telephone Company, Limited.

No. 24536, December 4, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Norfolk County Telephone Company, Limited.

No. 24537, December 4, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Aldborough Farmers' Telephone Association, Limited.

No. 24538, December 6, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Hawthorne Hill Rural Telephone Company, Limited.

No. 24539, December 4, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Conn Telegraph Company, Limited.

No. 24540, December 6, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Prescott Rural Telephone Company, Limited, and rescinds Order No. 24288.

No. 24532, December 9, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and La Compagnie de Telephone de Contrecoeur.

No. 24566, December 7, 1915. Prescribes the toll to be charged for telephone services to clergymen, religious institutions.

No. 24573, December 10, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Camden Independent Telephone Company, Limited.

No. 24574, December 10, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Urban and Rural Telephone Company, Limited.

No. 24588, December 22, 1915. No. 24724, February 14, 1916. Disallow the withdrawal by the Canadian Pacific, Grand Trunk, and Grand Trunk Pacific Railway Companies from participation in certain joint freight tariffs with the Canadian Northern Railway Company.

No. 24594, December 22, 1915. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Consolidated Telephone Company, Limited.

No. 24600, December 28, 1915. Approves Lake Erie & Northern Railway Company's Standard Maximum Freight Tariff, C.R.C. No. 1.

No. 24601, December 27, 1915. Approves Lake Erie & Northern Railway Company's Standard Maximum Passenger Tariff, C.R.C. No. 1, applying a rate of two and one-half cents a mile.

No. 24622, January 3, 1916. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Peoples Telephone Company of Forest, Limited.

No. 24623, January 4, 1916. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Corporation of the Township of Dawn.

No. 24624, January 4, 1916. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Corporation of the Township of Percy.

No. 24625, January 4, 1916. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Corporation of the Township of Haldimand.

No. 24626, January 5, 1916. Approves Standard Maximum Freight Mileage Tariff, C.R.C. No. 5, of the Montreal and Southern Counties Railway Company.

No. 24642, January 10, 1916. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Arundel Development Company, Limited.

No. 24643, January 10, 1916. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Lansdowne Rural Telephone Company, Limited.

No. 24689, January 27, 1916. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Mono Mills Independent Telephone Association, Limited.

No. 24690, January 27, 1916. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Udney Telephone Company, Limited.

No. 24694, January 29, 1916. Requires the Grand Trunk Railway Company to participate in joint tariffs published by the Canadian Northern Railway on grain and grain products from Port Arthur to points in Eastern Canada, via North Bay, Ont.

No. 24727, February 16, 1916. Disallows, as illegal, a so-called proportional tariff of the Canadian Northern Railway Company to apply on tank and still structural material from Toronto, ex Sarnia, Ont., to Regina, Sask.

No. 24726, February 15, 1916. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the National Telephone Company, Limited.

No. 24732, February 15, 1916. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Kamouraska Telephone Company, Limited.

No. 24746, February 21, 1916. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Beatrice Telephone Association, Limited.

No. 24756, February 23, 1916. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the McNab Telephone Company, Limited.

No. 24766, February 25, 1916. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Rockwood and Oustic Telephone Company, Limited.

No 24784, March 9, 1916. Prescribes regulations to ensure the handling of the grain crop from the Goose Lake District of the Canadian Northern Railway, in connection with the Grand Trunk Pacific Railway *via* Saskatoon at through rates.

No. 24786, March 6, 1916. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Derby Telephone Association.

No. 24789, March 6, 1916. Approves a form of release and Power of Attorney to be signed by physicians and others who desire, for special reasons, to travel on the freight trains and in the baggage cars of the Canadian Pacific Railway Company.

No. 24823, March 20, 1916. Approves an agreement for the interchange of telephone services between the Bell Telephone Company and the Addison Rural Independent Telephone Company.

No. 24837, March 28, 1916. Extends the application of specifications for cheese boxes, as published in Supplement 5 to Canadian Freight Classification No. 16, until August 1, 1916.

No. 162 (General Order), March 30, 1916. Prescribes the conditions to be printed in message forms by all telegraph companies.

No. 163 (General Order), March 31, 1916. Gives effect to judgment dealing with the tolls and practices of the telegraph companies operating in Canada, west of Sudbury, Ont.

I have the honour to be, Sir,

Your obedient servant,

APPENDIX "E."

A. D. CARTWRIGHT, Esq.,
Secretary Board of Railway Commissioners for Canada,
Ottawa, Ont.

SIR,—I beg to submit herewith a list of examinations and inspections made by the Engineering Department of the Board in the field, covering the period from March 31, 1915, to April 1, 1916; in addition, railway location maps, profiles and books of reference have been compared and checked with the route maps. A large number of detail plans of bridges, subways, structures of all kinds, power wire crossings, pipe crossings, and interlocking plans have been examined in the office during the same period, all of which have been submitted and approved by the Board.

I have the honour to be,

Sir,

Your obedient servant.

(Signed) GEO. A. MOUNTAIN,
Chief Engineer.

BOARD OF RAILWAY COMMISSIONERS FOR CANADA.

LIST OF INSPECTIONS MADE BY THE ENGINEERING DEPARTMENT FROM APRIL 1, 1915, TO MARCH 31, 1916.

April 1.—Inspection *re* proposed electrification of Grand Trunk Railway tracks at London, Ont.

April 1.—Inspection of the line of the Halifax & Southwestern Railway.

April 6.—Inspection of proposed highway near Shawville, on the Waltham Branch of the Canadian Pacific Railway.

April 7.—Inspection for removal of speed restrictions on Weyburn-Stirling Branch of Canadian Pacific Railway. Mile 0 to 79.2.

April 8.—Inspection of washout and bridge near Drumheller, on line of Canadian Northern Railway.

April 8.—Inspection *re* complaint of Municipality of Ste. Anne, Man., against wet condition of station grounds and vicinity at Ste. Anne, on account of overflowing of well and water tank belonging to the C.N.R.

April 9.—Inspection for removal of speed restrictions on Aldersyde Subdivision of Canadian Pacific Railway. Mile 0 to 85.1.

April 9.—Inspection of Lewis Springer's farm crossing at Mileage 75.7, on the London Subdivision of the Canadian Pacific Railway.

April 9.—Inspection of subway at Waldemar, Ont., on the line of the Canadian Pacific Railway.

April 9.—Inspection of Forsyth Street Branch of the Canadian Pacific Railway in City of Montreal, P.Q.

April 10.—Inspection of the interlocking plant where Canadian Northern Railway Delisle Branch crosses Moosejaw-Lacombe Branch of the Canadian Pacific Railway, near Conquest.

April 12.—Inspection of interlocking plant at Delta Jct., where the Canadian Northern Railway crosses the Canadian Pacific Minnedosa Subdivision near Portage la Prairie.

April 14.—Inspection of crossing of Eglington Ave., Toronto, by the Canadian Pacific and Grand Trunk Railways.

April 14.—Inspection of Canadian Pacific Railway bridge at Cherrywood, Ont.

April 15.—Inspection of farm crossing of Mr. Goyette, on the Canadian Pacific at Iberville, Que.

April 16.—Inspection for removal of speed restrictions on Swift Current, North Westerly Branch of the Canadian Pacific Railway.

April 17.—Inspection *re* complaint of the rural municipality of St. Paul, against condition of ditches constructed by Canadian Pacific Railway to drain their main line through the municipality of St. Paul, Man., on the east side of the Red river.

April 17.—Inspection *re* complaint of Mr. G. A. Biccum of Cardale, Man., against damage to his property, section 33-14-21, on account of lack of proper drainage on the line of the Canadian Northern Railway, Rapid City Subdivision.

April 19.—Inspection for removal of speed restrictions on Lacombe Subdivision of the Canadian Pacific Railway. Mile 49·6 to 85.

April 19.—Inspection for removal of speed restrictions on Lacombe Subdivision of the Canadian Pacific Railway. Mile 85·89 to 105.

April 20.—Inspection of Govanlock Subdivision of the Canadian Pacific Railway *re* condition of track.

April 20.—Inspection *re* complaint of D. A. Gauthier, of St. Telesphore, Que., against the Glengarry and Stormont Railway *re* drainage.

April 20.—Inspection *re* complaint of J. B. Ranger, Dalhousie Station, Que., *re* farm crossing on the Glengarry and Stormont Railway.

April 21.—Inspection of Sherbrooke Street Bridge, Montreal, Que., over the Canadian Pacific Railway.

April 21.—Inspection for removal of speed restrictions on Coronation Subdivision of the Canadian Pacific Railway. Mile 0 to 74·6.

April 22.—Inspection of interchange tracks at Arnprior, Ont.

April 22.—Inspection of highway on the Labelle Branch of the Canadian Pacific Railway at Ste. Therese, Que.

April 22.—Inspection of Canadian Pacific Railway swing bridge over the Lachine Canal.

April 23.—Inspection of subway at Harrowsmith, Ont., on the line of the Canadian Northern Ontario Railway.

April 23.—Inspection *re* complaint of farmers in the vicinity of Edam, Sask., against losses sustained by them on account of the Jackfish Branch of the Canadian Northern Railway not being fenced.

April 26.—Inspection for opening for traffic of bridge 15·6 of Canadian Pacific Railway, Shuswap Subdivision.

April 27.—Inspection of interlocker on Cascade Subdivision of the Canadian Pacific Railway. Mile 109·7, Pitt River.

April 27.—Inspection of position of heights at drawbridge at Pitt River, on Cascade Subdivision of the Canadian Pacific Railway. Mile 109·7, Pitt River.

April 27.—Inspection *re* exempting Grand Trunk Pacific Railway from fencing Regina boundary line.

April 27.—Inspection for opening for traffic part of the Canadian Pacific Railway Company's Arborg Subdivision between mileage 47·7 and 46·5, a distance of 1·2 miles.

April 28.—Inspection in connection with petition of town of Broadview, Sask., to consider the matter of disposal of waste water from the Canadian Pacific railway shops.

April 28.—Inspection of the Van Buren Railway for opening for traffic at St. Leonard, New Brunswick.

April 28.—Inspection of electric bells at Kyle and Queen streets, Port Moody, on Cascade Subdivision of the Canadian Pacific Railway.

April 28.—Inspection for opening for traffic of interlocker at Harrisons Mills, Cascade Subdivision of Canadian Pacific Railway.

April 29.—Inspection of public crossing at Enderby, British Columbia, on line of the Canadian Pacific Railway.

April 29.—Inspection of the line of the Halifax and South Western Railway from Halifax to Yarmouth, Nova Scotia.

April 29.—Inspection of cattle guards at Main Post Road and Port Negro Road crossings, Barrington, Nova Scotia, on the line of the Halifax and South Western Railway.

April 30.—Inspection of proposed crossing of the Canadian Pacific and Grand Trunk Railways at Point Claire, P.Q.

May 5.—Inspection of the line of the Canadian Northern Ontario Railway between Yarker and Bannockburn, Ont.

May 5.—Inspection *re* crossing for Mr. Thos. Jury over the line of the Canadian Northern Railway on the S.E. ¼ of Section 13-16-18, west, near the village of Clan William, Man.

May 5.—Inspection of farm crossing and culverts in S.W. ¼ of section 34-55-25-W. 4M., near Morinville, on the line of the Edmonton, Dunvegan and British Columbia Railway.

May 6.—Inspection for opening for traffic bridge 18·1, Shuswap Subdivision of the Canadian Pacific Railway.

May 6.—Inspection of Grand Trunk Pacific Railway *re* fencing from Mile 967 to 985, near Hinton.

May 6.—Inspection of proposed Grade Separation at Hamilton, Ont.

May 7.—Inspection of crossing of Queen street, Chatham, Ont., by Chatham, Wallaceburg and Lake Erie Railway.

May 7.—Inspection of cattle pass for Mr. Cole of Bowmanville, Ont., on line of the Toronto Eastern Railway.

May 7.—Inspection of Grand Trunk Pacific Railway near Thornton Station, *re* fencing from Mile 893 to Edson.

May 7.—Inspection of the Donald McKenzie Public Road crossing, near Keston Station on the line of the Grand Trunk Pacific Railway.

May 7.—Inspection of road crossings between sections 34 and 33-53-10; also Public Road crossing between sections 25 and 26-53-10, west 5th Meridian, near Keston Station on the line of the Grand Trunk Pacific Railway.

May 8.—Inspection of Kingston Road crossing of the Grand Trunk Railway.

May 10.—Inspection *re* aplication of city of Winnipeg for leave to place electric transmission line in that city (Winnipeg Power and Transmission Line), across Canadian Northern right of way, Bird's Hill line.

May 11.—Inspection of enlargement of culvert under Esquimalt and Nanaimo Railway (C.P.R.) near Duncan, British Columbia.

May 12.—Inspection on application of Robert Wallace, et al., *re* diverted crossing at sections 24 and 25-2-12, West Principal Meridian, near Mileage 87, Main line of the Canadian Pacific Railway, near Austin, Man.

May 12.—Inspection of part of Wynyard Subdivision of the Canadian Pacific Railway, between Sheho, Mileage 42·2, and Leslie, Mileage 56·8, a distance of 24 miles.

May 14.—Inspection *re* complaint of rural municipality of Leask, Sask., against damage to property by lack of proper culverts on Prince Albert-Battleford line of the

Canadian Northern Railway between Leask and Marcelin, section 25-46-3, and southeast quarter of section 18-46-3.

May 14.—Inspection *re* diversion and crossing of Government Road allowance, sections 33 and 32-28-28, West 3rd Meridian near Mile 163, by the Canadian Northern Railway.

May 14.—Inspection for opening for traffic of Bridge No. 144·8, on Portal Subdivision, Saskatchewan, of the Canadian Pacific Railway.

May 14.—Inspection of the Grand Trunk Pacific Railway Calgary line, Mile 46, *re* fencing station grounds.

May 14.—Inspection of the Grand Trunk Pacific Railway Tofield-Calgary branch, Mile 0 to 201, *re* fence exemption.

May 14.—Inspection of the Canadian Northern Railway at St. Eustache, Que., *re* drainage at Oka Road crossing.

May 14.—Inspection of the Campbellford, Lake Ontario & Western Railway for opening for traffic.

May 15.—Inspection of road crossing on the Lake Erie & Northern Railway between Galt and Brantford, Ont.

May 18.—Inspection for opening for traffic of Glengarry & Stormont Railway.

May 18.—Inspection for opening for traffic of Bridge 28.33 on Aldersyde Subdivision of the Canadian Pacific Railway.

May 19.—Inspection on complaint of Fred Biggs *re* road crossing near Big Valley, Mile 125, Calgary Subdivision of the Canadian Northern Railway, not being in shape.

May 19.—Inspection of the Grand Trunk Railway *re* Michael Street crossing, Georgetown, Ont.

May 20.—Inspection *re* drainage on property of A. J. Kernahan, Fairfield, Ont., on line of the Grand Trunk Railway.

May 20.—Inspection for opening for traffic of Bridge 1912 on Red Deer Subdivision of the Canadian Pacific Railway.

May 21.—Inspection for removal of speed restriction of fifteen miles an hour, for a distance of 36·7 miles, on Canadian Pacific Railway between Stoughton and Weyburn.

May 21.—Inspection of bridges on the Ontario Division of the Grand Trunk Railway.

May 22.—Inspection of bridges on the Ontario Division of the Canadian Pacific Railway.

May 22.—Inspection *re* rural municipality of Gull Lake, Sask., No. 139, crossing main line of the Canadian Pacific at the southeast corner of Section 6-13-20, West 3rd Meridian.

May 22.—Inspection *re* complaint of H. H. Perry of Ernfold, on condition of fencing and cattleguards on the main line of the Canadian Pacific Railway west of Ernfold, Sask.

May 24.—Inspection for opening for traffic of Bridge 27·3 on the McLeod Subdivision of the Canadian Pacific Railway.

May 25.—Inspection for opening for traffic of Bridge 10·8 on the Sirdar Subdivision of the Canadian Pacific Railway.

May 25.—Inspection for opening for traffic of bridge, 22·5 on the Sirdar Subdivision of the Canadian Pacific railway.

May 25.—Inspection for opening for traffic of Bridge 62·8 on the Sirdar Subdivision of the Canadian Pacific Railway.

May 25.—Inspection for opening for traffic of Bridge 81·5 on the Sirdar Subdivision of the Canadian Pacific Railway.

May 26.—Inspection *re* fencing right of way of Lac-du-Bonnet Branch of the Canadian Pacific Railway in the rural municipality of Springfield.

May 26.—Inspection of bridges on the Ontario Division of the Canadian Pacific Railway.

May 27.—Inspection for opening for traffic of Kettle Valley Railway (C.P.R.) from Midway to Princeton a distance of 205·5 miles.

May 28.—Inspection of the Vancouver, Victoria and Eastern Railway between Coalmont and Brookmere, Mile 222 and 223, *re* complaint F. Fremled, that fencing not constructed from Tulameen to Brookmere.

May 28.—Inspection for opening for traffic of the Kettle Valley Railway (C.P.R.) from Coldwater Junction to Coquihalla Summit, a distance of 14·2 miles.

May 28.—Inspection for opening for traffic of Vancouver, Victoria and Eastern Railway from Coalmont to Brookmere, a distance of 26·6 miles.

May 31.—Inspection *re* complaint of Mr. H. A. Smith, against damage to his crops by lack of proper fencing along right of way of Canadian Northern Railway in the northwest quarter of section 21-55-7, west 3rd Meridian.

June 1.—Inspection for opening for traffic of Rupert street over the Canadian Pacific railway at Vancouver, B.C.

June 2.—Inspection for opening for traffic of the crossing of Canadian Pacific railway and British Columbia Electric railway over 12th street, New Westminster.

June 2.—Inspection *re* municipality of Maple Ridge crossing over tracks of the Canadian Pacific railway to wharf, at mile 104.

June 3.—Inspection of rock cut near mile 28, north of Victoria, on the line of the Esquimalt and Nanaimo railway (C.P.R.).

June 3.—Inspection of rock cut near mile 28, north of Victoria, on the line of the Canadian Pacific railway.

June 7.—Inspection for opening for traffic of bridge 117·6 on the Laggan Subdivision of the Canadian Pacific railway.

June 8.—Inspection of bridge on the Wayaganack Spur of the Canadian Pacific Railway, over St. Maurice River, near Three Rivers, Que.

June 8.—Inspection *re* complaint of Rural Municipality of Elcano against condition of approaches to Main Line of the Canadian Pacific Railway crossing between Sections 33 and 34-16-6, West 2nd Meridian.

June 8.—Inspection of interlocking plant at Canadian Pacific Railway drawbridge over the Lachine Canal.

June 9.—Inspection of subway at Division street, Cobourg, Ont., on the line of the Canadian Pacific Railway.

June 10.—Inspection of concrete culvert under the Canadian Pacific Railway at London, Ont.

June 11.—Inspection of drainage on John McFayden's farm on the Port McNicoll Subdivision of the Canadian Pacific Railway.

June 12.—Inspection of location of new concrete culvert to take care of water from Coaling Creek under Waterloo and Pall Mall streets, London, Ont.

June 12.—Inspection *re* crossings over Canadian Northern Railway Yard at Calgary not being graded to Board's Order dated January 16, 1915.

June 12.—Inspection *re* complaint of Municipality of Shellmouth, Manitoba, against condition of fences along line of the Canadian Northern Railway.

June 15.—Inspection of the line of the Quebec and Lake St. John Railway from Quebec to Chicoutimi.

June 16.—Inspection *re* complaint of Mr. H. Zackarias, Sandy Lake, Man., of lack of fencing along line of the Canadian Northern Railway.

June 16.—Inspection *re* complaint of Rural Municipality of St. Paul, Bird's Hill, against Canadian Pacific Railway having four tracks across the two mile road at the entrance to the gravel pit.

June 16.—Inspection *re* complaint of Municipality of Caron No. 162, of diversion of highway crossings at mileage 8·5, northeast quarter of section 24-18-28, west 2nd meridian, on the Grand Trunk Pacific Railway Moosejaw-North West Branch.

June 17.—Inspection *re* Grand Trunk Pacific Railway removing fence to give access to roadway between southeast and northeast quarter of section 18-14-18, west 2nd meridian, rural municipality of Lajord No. 128.

June 17.—Inspection of Owen Sound Branch of the Canadian Pacific Railway through lot 21, concession 3, township of Amaranth, *re* complaint of Mr. Crombie about his farm crossing.

June 17.—Inspection of St. John street crossing in village of Shedden, Ont., on the line of the Michigan Central Railroad.

June 17.—Inspection of the Canadian Northern Railway in Big Valley District *re* complaint of Fred. Biggs about fencing.

June 17.—Inspection for opening for traffic of the Calgary-Edmonton Subdivision of the Canadian Northern Railway.

June 22.—Inspection of the Canadian Pacific Railway *re* complaint of J. Krupp about water courses and railway culverts at Amyot, Ont.

June 22.—Inspection of proposed undercrossing in township of March on the line of the Grand Trunk Railway.

June 23.—Inspection *re* farm crossing for Mr. John Giesbrecht, Hawkett, Man., on his property in the northeast quarter of section 7-1-4, west, on the Walhalla to Morden Extension of the Great Northern Railway.

June 24.—Inspection *re* complaint of Mr. Chas. J. Miller, Canora, Sask., against the Canadian Northern Railway not fencing their right of way through his property.

June 24.—Inspection of bridge No. 7-0 on the Kippewa Branch of the Canadian Pacific Railway.

June 24.—Inspection of the Canadian Northern Railway track on the Calgary-Edmonton subdivision.

June 25.—Inspection *re* condition of track on the Edmonton to Lloydminster Branch of the Canadian Northern Railway.

June 25.—Inspection of bridges on the Chalk River Subdivision of the Canadian Pacific Railway.

June 26.—Inspection *re* condition of track on the main line of the Canadian Northern Railway between Dana, Mileage 451, and Roblin, Mileage 240, a distance of 211 miles.

June 26.—Inspection of London and Port Stanley Railway for opening for traffic.

June 28.—Inspection *re* intersection of Bell avenue and Main street, Winnipeg, Man.; Canadian Northern Grade Separation.

June 29.—Inspection of the line of the Grand Trunk Railway *re* crossing Bell at Concession street, Casselman, Ont.

June 30.—Inspection of fencing on the line of the Canadian Pacific Railway at Godfrey, Ont., *re* complaint of Mr. John McKeever.

June 30.—Inspection of the Grand Trunk Railway across the farm of William Conture, lot 15, B.F. concession of the township of Tilbury, *re* farm crossing.

June 20.—Inspection of the line of the Michigan Central Railroad through farm of Mr. Beattie, lot 257, township of Maidstone, *re* his complaint about drainage.

July 2.—Inspection *re* fencing right of way of the Canadian Northern Railway through property of Robert Fulton, Bowsman River, Manitoba.

July 2.—Inspection *re* fencing right of way of the Canadian Northern Railway Railway from Meifort to St. Brieux, a distance of 22 miles.

July 3.—Inspection of the line of the Canadian Northern Railway *re* proposed Thibault Street Diversion, St. Boniface, Manitoba.

July 4.—Inspection of the line of the Canadian Northern Railway *re* extension of time for the installation of plant until June 15, 1916, at Vickers street and Victoria avenue, Fort William, Ont.

July 5.—Inspection of the line of the Grand Trunk Railway at Glen Robertson, Ont., *re* site of crossing asked for by the township of Lochiel.

July 7.—Inspection of site of proposed crossing and road diversion on the line of the Canadian Pacific Railway at Spring Hill, Quebec, *re* application of towsnhip of Whitton.

July 7.—Inspection of roadbed of the Elgin and Havelock Railway.

July 9.—Inspection of the line of the Grand Trunk Railway *re* site of crossing asked for by the municiplaity of St. Hilaire East at St. Hilaire, Que.

July 9.—Inspection of public road at Windsor Mills, Quebec, along the line of the Canadian Pacific Railway, Orford Subdivision.

July 9.—Inspection of interlocking plant at Methven Junction, where the Canadian Pacific Railway crosses the Canadian Northern Railway.

July 9.—Inspection *re* complaint of Mr. Pond, 2 miles south of Nelson, about fence exemption on the line of the Great Northern Railway between Nelson and Waneta.

July 10.—Inspection for opening for traffic of bridge 41.2 on the Boundary Subdivision of the Canadian Pacific Railway.

July 10.—Inspection of bridge 41.2 on the Canadian Pacific Railway Boundary Subdivision.

July 10.—Inspection *re* complaint of Mr. J. J. W. Bell, Regina, Sask., about gates and fencing, also request for water pipe under the tracks of the Canadian Northern Railway at his farm crossing.

July 12.—Inspection *re* municipality of Clayton, No. 333, crossing over right of way of the Canadian Northern Railway between the northwest ¼ of section 3 and southwest ¼ of section 10-34-3, west second meridian.

July 13.—Inspection *re* complaint of Jos. Rinn, Elm Creek, Manitoba, against neglect of the Manitoba and Great Northern Railway to erect fences on its right of way.

July 13.—Inspection of the line of the Canadian Pacific Railway Bergen cut-off, *re* operation of Red River bridge.

July 13.—Inspection of the Selkirk line of the Canadian Pacific *re* rural municipality of St. Paul crossing on Willis avenue, north of Middle Church station.

July 13.—Inspection of the Kootenay Central Railway (C.P.R.), 42·6 miles south of Golden, *re* complaint of Mrs. Watson about gravel being washed on her property.

July 13.—Inspection of the line of the Canadian Pacific Railway at Romfort, Ont., *re* fencing of right of way.

July 14.—Inspection *re* complaint of municipality of Ste. Anne, Manitoba, against wet condition of station grounds and vicinity at Ste. Anne, on account of overflowing of well and water tank belonging to the Canadian Northern Railway.

July 14.—Inspection of interlocker at Frederica street, Fort William, Ont.

July 14.—Inspection re complaint of F. D. Lusk, Esq., about defective cattle guards at Sinclair, Man., on the line of the Canadian Pacific Railway.

July 14.—Inspection *re* complaint of Mr. John Mowatt, Aberdeen, Sask., about Canadian Northern Railway closing culvert which has served as a cattle pass.

July 14.—Inspection *re* complaint of Angus MacLennan, Saltcoats, against Canadian Northern Railway not making any provision for fencing of its right of way through his land in section 32-25-1 west of 2nd meridian.

July 14.—Inspection *re* relieving Grand Trunk Pacific Railway from erecting and maintaining fences, gates and cattle guards on its Prince Albert Branch, mile 0 to 64.

July 14.—Inspection *re* complaint of Mr. A. J. Pearce, Minitonas, about fencing right of way not being sufficient to turn sheep.

July 14.—Inspection of the line of the Canadian Northern Railway Rossburn Subdivision, *re* crossing for Mike Marcarney, Erickson, Man., on section 9, southwest quarter of 18-19, west 1st meridian, between mile 37 and 38.

July 15.—Inspection *re* complaint from C. F. Book, Cushing, Que., about drainage on the line of the Canadian Northern Railway.

July 16.—Inspection of the line of the Canadian Pacific railway *re* farm crossing for J. F. Huneault, Montebello, Quebec.

July 19.—Inspection of Canadian Northern Quebec railway at Portneuf, Quebec, *re* complaint of landowners about drainage.

July 20.—Inspection of the Campbellford, Lake Ontario and Western railway through Lot 15, Concession 6 and Lot 14, Concession 7, Township of Hinchenbrooke, in connection with complaint *re* drainage.

July 20.—Inspection *re* location of station site of the Edmonton Dunvegan and British Columbia railway at Eunice, Alberta.

July 26.—Inspection of the line of the Lake Erie and Northern Railway through Mr. McEwen's farm south of Brantford, *re* Mr. McEwen's application for an overhead farm crossing.

July 28.—Inspection of fencing on the line of the Canadian Northern railway between Mile 47 and 65 west of Tollerton, *re* complaint of J. B. Anderson, Hinton, B.C.

July 28.—Inspection of the line of the Grand Trunk Pacific railway *re* road crossing near station at Fallis, Alberta.

August 2.—Inspection of the line of the Canadian Northern railway *re* subway at Regent Avenue, Edmonton, Alberta.

August 5.—Inspection of shore line division of the Canadian Pacific railway for exemption from fencing.

August 5.—Inspection of Toronto and Eastern railway through Mr. Griffin's property on Mary Street, Whitby, Ontario.

August 7.—Inspection for opening for traffic of the line of the Kettle Valley railway (C.P.R.) east of Hope, B.C., Mile 39·5 to 31, between Drumheller and Munson.

August 10.—Inspection of subway at Division Street, Cobourg, Ontario, on the line of the Canadian Pacific railway.

August 19.—Inspection of the line of the Lake Erie and Northern railway at Port Dover, Ontario, *re* Sydney March Complaint.

August 19.—Inspection of the line of the Lake Erie and Northern railway *re* crossings in the township of South Dumfries.

August 20.—Inspection of bridges on Peterboro Subdivision, Ontario division of the Canadian Pacific railway.

August 23.—Inspection of the line of the Canadian Pacific railway *re* crossing for G. J. Nagus, Guernsey, Sask., Section 1, Township 24, Range 34.

August 23.—Inspection of the line of the Canadian Pacific railway *re* removal of speed limitation on the Shedo extension from Leslie, at Mileage 66·2, to Wynyard, Mile 89·0.

August 24.—Inspection of the lines of the Grand Trunk Pacific railway and Fort William Electric Street railway, *re* interlockers at Syndicate Avenue.

August 24.—Inspection of the line of the Maine Central railway *re* public crossings at St. Isidore, Que.

August 25.—Inspection of the line of the Grand Trunk railway *re* public crossings at Dixville, Quebec.

August 25.—Inspection of the line of the Canadian Northern railway *re* bad condition of track between Drumheller and Munson.

August 25.—Inspection of the line of the Canadian Northern railway *re* bad crossing, Section 28-13-18 and Section 29-30-19, west 4th Meridian.

August 26.—Inspection of the line of the Canadian Northern Quebec railway Montford branch *re* fencing.

August 27.—Inspection of the line of the Canadian Pacific railway *re* public crossing in town of Mont Laurier, Quebec.

August 30.—Inspection for opening for traffic of the line of the Canadian Northern railway from Laird to Carlton.

August 30.—Inspection for opening for traffic of the line of the Canadian Northern railway from Titchfield to Dumblane.

August 30.—Inspection of bridge at Little Joggins, N.S., on the line of the Dominion Atlantic railway.

August 31.—Inspection of bridges on the line of the Dominion Atlantic railway at Weymouth and Windsor, Nova Scotia.

August 31.—Inspection of crossing of tracks of Steel Company of Canada on the Base Line between the Broken Front Concession and the First Concession Township of Barton, city of Hamilton, by the Hamilton Street railway.

August 31.—Inspection of the line of the Grand Trunk Pacific Branch Lines Co.'s Battleford Branch, Mile 0 to 48·5, *re* exemption from fencing.

August 31.—Inspection for opening for traffic of the line of the Canadian Northern railway from Canora to connect with the Thunderhill Branch near Sturgis.

August 31.—Inspection *re* half interlocking plant where Oak Point Branch of Canadian Northern railway crosses the Suburban Rapid Transit Co. (Winnipeg Electric Ry.) on Portage Ave., at Westside.

August 31.—Inspection of the line of the Moosejaw Northwesterly branch of the Canadian Pacific railway *re* complaint of Jos. Gilmore, municipality of Caron, about diverted highway crossing at mile 8·5.

September 2.—Inspection of the line of the Canadian Northern on complaint of Jas. McCulloch *re* subway near Aldersyde.

September 3.—Inspection of the line of the Canadian Pacific Railway *re* public crossing asked for by municipality of Papineauville, Que.

September 4.—Inspection of the line of the Tofield-Calgary line of the Grand Trunk Pacific railway *re* culvert not being large enough to take care of water from Delburne lake.

September 8.—Inspection of fences on the line of the Canadian Pacific railway, *re* complaint of A. F. Stewart, Folger, Ont.

September 8.—Inspection for opening for traffic of the line of the Canadian Northern Grosse Isle Subdivision, from Inwood to Hodgson, a distance of 50 miles.

September 9.—Inspection of the line of the Canadian Northern railway near Drumheller, *re* farm crossing for H. Rosoman, Dingle Bell farm, southeast quarter of Section 31-29-20, west 4th meridian.

September 10.—Inspection of King Street bridge, Hamilton, Ont.

September 13.—Inspection of crossing on Canadian Northern Regina Prince Albert branch.

September 13.—Inspection for opening for traffic of the Canadian Northern Railway Company's North Battleford northwesterly line, from Edam. Mile 38, to Turtleford. Mile 57.

September 13.—Inspection *re* carrying traffic on the line of the Canadian Northern Oakland branch, mileage 42 to end of track.

September 14.—Inspection of the line of the Grand Trunk Pacific branch lines company, *re* relieving company from erecting and maintaining fences, gates and cattle guards on its Biggar-Calgary branch. Mile 0 to 104, Sask.

September 14.—Inspection of trestle bridge over the Cascapedia river, near Cascapedia, Que., on the line of the Quebec Oriental railway.

September 15.—Inspection of the line of the Atlantic, Quebec and Western railway *re* highway crossing through municipality of Cape Cove, Cape Cove, Que.

September 15.—Inspection of the line of the Canadian Northern railway at mile 384 near Calgary, *re* public road where accident took place.

September 15.—Inspection of the Atlantic, Quebec and Western Railway culvert, *re* complaint of N. Fahey, Little Pabos, Que.

September 16.—Inspection of the line of the Atlantic, Quebec and Western railway from Carlisle to Gaspe.

September 16.—Inspection of the line of the Quebec Oriental railway, from Metapedia to Carlisle.

September 17.—Inspection of the line of the Temiscouata railway *re* public crossing for municipality of Notre Dame Du Lac, Que.

September 17.—Inspection for the carriage of freight traffic on the Coronation northwest branch of the Canadian Pacific railway. Mile 0 to 18.6.

September 20.—Inspection *re* Cardiff Coal Company's mining under right of way of the Edmonton, Dunvegan and British Columbia railway at Morinville.

September 20.—Inspection *re* Cardiff Coal Company's mining under right of way of the Edmonton, Dunvegan and British Columbia railway at Morinville.

September 17.—Inspection of the line of the Canadian Northern railway from Wroxton Junction, mileage 0, to Yorkton, mileage 25.2.

September 20.—Inspection of the line of the Grand Trunk Pacific Branch Lines Company, *re* application of the village of Fort Qu'Appelle.

September 20.—Inspection *re* interlocker at Frederica street, Fort William, Ont.

September 21.—Inspection of the line of the Grand Trunk Pacific railway between mile 1044 and 1281, west of Winnipeg, *re* fence exemption.

September 22.—Inspection of the line of the Grand Trunk Pacific railway *re* complaint of Mr. Fraculle about condition of Empire ave., on his property, Fort William, Ont.

September 23.—Inspection of the line of the Canadian Northern railway *re* Juniper Siding.

September 24.—Inspection of the line of the Grand Trunk Pacific railway east of Prince Rupert, mile 164 to mile 467, *re* fence exemption.

September 24.—Inspection of the line of the Grand Trunk Pacific railway between Prince Rupert and Prince George, and Prince George to McBride, *re* condition of track.

September 25.—Inspection of the line of the Grand Trunk Pacific Branch Lines Company's Alberta Coal branch from mileage 0 to 56.4 fence exemption.

September 28.—Inspection of the line of the Canadian Pacific railway Stirling subdivision, east of Foremost to mile 71.6, for temporary carriage of freight traffic.

September 28.—Inspection of the line of the Canadian Northern railway *re* complaint of Jas. Abbott, Elphinstone, Man., about fencing and cattle guards on his farm in section 13-18-21, west 1st meridian.

September 29.—Inspection of the line of the Canadian Northern railway *re* complaint of J. J. W. Bell of Regina, about condition of fencing and gates through his southwest quarter section 33-16-21.

September 29.—Inspection of the line of the Montreal and Southern Counties railway, *re* street pavements at St. Lambert, Que.

September 30.—Inspection of the line of the Canadian Northern railway *re* municipality of Fort Garry extending Clarence avenue across its tracks.

September 30.—Inspection of transfer track at Oshawa, Ont.

September 30.—Inspection of the line of the Canadian Pacific railway at Balsam, Ont., *re* drainage complaint.

October 1.—Inspection of the line of the Canadian Pacific railway through the property of J. McNeill, west half lot 11, concession 8, township of Eldon, in connection with Mr. McNeill's complaint about drainage.

October 1.—Inspection for opening for traffic of the line of the Canadian Northern railway from St. Albert to Yellowhead Pass.

October 4.—Inspection *re* interlocker at Frederica and Edward streets, Fort William, Ont.

October 5.—Inspection Canadian Pacific railway bridge over highway and crossing asked for by municipality at St. Pie, Que.

October 8.—Inspection of the line of the Lake Erie and Northern railway of crossing line between concessions 2 and 3, township of South Dumfries.

October 8.—Inspection of the lines of the Mount McKay and Kakabeka Falls railway and the Grand Trunk Pacific Railway Companies at Yonge and Montreal streets, Fort William, Ont.

October 8.—Inspection *re* interlocking plant crossing Canadian Pacific railway Soo line with the Canadian Northern railway Bienfait branch in northwest quarter of section 13-2-8, west 2nd meridian.

October 8.—Inspection of the Canadian Northern Ontario Railway for opening for traffic from Pembroke to Capreol, and highway crossings in townships of Chisholm, Ontario.

October 8.—Inspection of the line of the Canadian Northern railway *re* complaint of Messrs. Bryce and Curry, of Estevan, Sask.

October 8.—Inspection of the line of the Canadian Pacific railway *re* spur track leading into Ford Motor Company, Winnipeg, Man.

October 8.—Inspection of the Canadian Northern Ontario Railway for opening for traffic from Pembroke to Capreol, and highway crossings in Township of Chisholm, Ontario.

October 9.—Inspection for opening for traffic of Canadian Pacific railway bridge 100·4, Portal Subdivision.

October 9.—Inspection of the line of the Canadian Pacific railway *re* complaint of rural municipality of Walpole, Sask., as to condition of crossing on Reston-Wolseley branch between sections 4 and 9-11-33-1.

October 9.—Inspection of the line of the Grand Trunk Pacific railway Cutknife branch between Battleford and mileage 50.

October 12.—Inspection of the line of the Grand Trunk Pacific railway *re* fencing its right of way near Viking in section 35-47-13 west 4th meridian; and also fencing of right of way near Hinton, Alta., mileage 967 and 985.

October 13.—Inspection of transfer track between Grand Trunk Pacific and Canadian Pacific Railway Companies in vicinity of Globe elevator, Calgary.

October 13.—Inspection of the line of the Grand Trunk Pacific Branch Lines company *re* exemption from erecting and maintaining fences and cattle guards on its Cutknife branch, from Mile 0 to 33·6.

October 14.—Inspection of proposed highway crossing over the Grand Trunk railway at Whitby, Ont.

October 14.—Inspection of the line of the Canadian Pacific railway at Sharbot Lake., Ont., *re* condition of drainage along tracks.

October 15.—Inspection of the line of the Canadian Northern railway at Dwyer Hill, Ontario, *re* complaint of Wm. McCoy as to drainage.

October 15.—Inspection of the line of the Birds Hill Subdivision of the Canadian Northern railway, between Birds Hill and Grand Marais, a distance of 50 miles.

October 15.—Inspection of the line of the Canadian Pacific railway *re* complaint of rural municipality of Elcapo, Sask., against dangerous condition of first crossing west of Oakshells Station grounds, between sections 33 and 34-16-6, west 2nd meridian.

October 16.—Inspection of the line of the Canadian Northern Railway *re* complaint of rural municipality of Stuartburn as to fencing of north side of right of way from Vita to Galiento.

October 20.—Inspection of the line of the Grand Trunk Pacific Railway *re* culvert west of Entwistle.

October 20.—Inspection of the line of the Canadian Northern Railway at Detlor, Ont., *re* complaint of P. A. Bradshaw as to fencing of right of way.

October 21.—Inspection of the line of the Grand Trunk Railway *re* London & Chatham road crossing at Thamesville, Ont.

October 23.—Inspection of the main line of the Canadian Pacific Railway *re* diverted crossing at sections 24 and 25-5-2-12, west Principal meridian, near mile 87·2.

October 28.—Inspection of track of the Quebec & Lake St. John Railway at Quebec and Chicoutimi.

October 29.—Inspection of subway at Division street, Cobourg, Ont., on the line of the Grand Trunk Railway.

October 29.—Inspection of subway near Harrowsmith, on the line of the Canadian Northern Ontario Railway, and drainage at Perth road.

October 30.—Inspection of proposed route of 51-inch steel water pipes through Broad street yard of the Canadian Pacific Railway at Ottawa, Ont.

November 1.—Inspection for opening for traffic of the Canadian Northern Railway Company's branch from Blaine Lake to Denholm, a distance of 52 miles.

November 2.—Inspection of the line of the Canadian Northern Railway from Bienfait, mileage 16·3, to mileage 24·9, a distance of 8·6 miles.

November 2.—Inspection of the line of the Canadian Northern Railway from Elrose to Eston, a distance of 35 miles.

November 3.—Inspection of the line of the Canadian Pacific Railway at Joliette *re* drainage complaint.

November 4.—Inspection of highway crossing at Coteau, Que., on the Grand Trunk Railway *re* protection.

November 4.—Inspection of Canadian Northern Railway grade south of MacLeod, *re* fencing southeast quarter of section 21-7-25, west 4th meridian.

November 5.—Inspection of the line of the Canadian Pacific Railway *re* crossing over its tracks at or near foot of Cardinal street, in the village of Prelate, Saskatchewan.

November 5.—Inspection of the line of the Canadian Northern Railway Gypsumville branch, *re* crossing at mile 91.

November 6.—Inspection of the subway at Victoria street, North Battleford, Sask., on the line of the Canadian Northern Railway.

November 10.—Inspection of fence on the line of the Canadian Pacific Railway (Kettle Valley Railway) from Midway to Merritt.

November 11.—Inspection of the Coalment-Otter line of the Vancouver, Victoria & Eastern Railway *re* fence exemption.

November 12.—Inspection of the line of the Canadian Pacific Railway Boundary Subdivision *re* diversion and tunnel, mile 40·4.

November 12.—Inspection for opening for traffic of the line of the Canadian Northern Railway, Gravelburg Railway Subdivision, from mileage 30 to Gravelburg, a distance of 49 miles.

November 12.—Inspection of the Mount McKay & Kakabeka Falls Railway and Grand Trunk Pacific Railway at Yonge and Montreal streets, Fort William, Ont.

November 13.—Inspection *re* complaint of municipality of Cameron, Man., against condition of bridge and approaches on public road between sections 9 and 10-6-23, west 1st meridian, on the line of the Canadian Northern Railway.

November 13.—Inspection *re* complaint of Mr. E. L. Aizsier, Calgary & Edmonton Railway against the Canadian Pacific Railway.

November 14.—Inspection of highway crossing on the Elgin & Havelock Railway at Fairville, Nova Scotia.

November 15.—Inspection *re* interlocker at Frederica and Edward streets, Fort William, Ont.

November 15.—Inspection of the Canadian Pacific Railway bridge 3.5, Outlook Subdivision, Saskatoon Division.

November 16.—Inspection of Grand Trunk Pacific spur crossing Canadian main line into the Union Stock Yards, near Winnipeg, Man.

November 16.—Inspection of Grand Trunk Railway culvert at Ailsa Craig, Ont., *re* complaint of A. E. Rosser.

November 16.—Inspection of the line of the Canadian Pacific railway *re* farm crossing for James Gracey, Shelburne, Ont.

November 17.—Inspection of the line of the Grand Trunk railway *re* Main street subway, Coaticook, Que.

November 18.—Inspection for opening for temporary carriage of traffic of the Canadian Northern railway line from Yorkton to end of track, a distance of 16 miles.

November 18.—Inspection of the line of the Brockville and Westport railway.

November 18.—Inspection of the line of the Canadian Pacific railway *re* condition of track on Crowsnest subdivision east of Cowley.

November 19.—Inspection of the line of the Canadian Pacific railway at Winchester, Ont., *re* complaint of H. Parker and J. E. Hutt as to drainage.

November 22.—Inspection of the Canadian Northern Ontario railway from Ottawa to Pembroke for opening for traffic.

November 23.—Inspection of the line of the Canadian Northern railway *re* complaint of Messrs. Trimble & Richardson, Vegreville, Alta., as to cattle pass under bridge at mile 757·7 and 755·6.

November 24.—Inspection of culverts on the line of the Grand Trunk railway *re* drainage complaint of R. H. Johnson, Omemee, Ont.

November 26.—Inspection of the line of the Grand Trunk Pacific railway through rural municipality of Caron, No. 162, Sask., *re* highway crossings east and north of section 9, township 18, range 28, west of 2nd meridian.

November 26.—Inspection of the line of the Canadian Pacific railway through property of A. Buckley, Farham, Ont., *re* drainage.

November 29.—Inspection of the line of the Canadian Pacific railway *re* complaint of Mr. H. H. Perry, Ernfold, Sask., against lack of proper fencing and fences allowed to become covered with snow in vicinity of mileage 70, west of Moosejaw.

November 29.—Inspection of the main line of the Canadian Pacific railway Swift Current Subdivision *re* crossing on road allowance at mileage 62.5 west of Moosejaw.

November 30.—Inspection of the line of the Grand Trunk Pacific railway *re* fencing right of way near Viking in section 35-47-13, west 4th meridian; and also fencing of right of way near Hinton, Alta., mileage 967 and 985.

November 30.—Inspection of the line of the Canadian Pacific railway at Hartley, Ont., *re* complaint of John McEachren against railway ditch.

November 30.—Inspection of interlocking plant at Guelph, Ont., at the crossing of the Toronto Suburban railway and the Canadian Pacific railway.

December 2.—Inspection of the line of the Canadian Pacific railway *re* Public road crossing at Deschambault, Que.

December 2.—Inspection of the line of the Canadian Northern railway at Deschambault, Que., *re* ditches.

December 3.—Inspection of the line of the Canadian Pacific railway at Trois Rivières, Que., *re* ditches.

December 3.—Inspection of the line of the Canadian Pacific railway *re* Talbot avenue crossing, Winnipeg, Man.

December 3.—Inspection of the line of the Goose Lake extension of the Canadian Northern railway *re* road diversion at mileage 107·7, on northeast quarter of section 33, township 28, range 20, west 3rd meridian.

December 6.—Inspection of spur to Government grain elevator at Moosejaw, Sask.

December 7.—Inspection of crossing of Canadian Pacific railway, J. Y. Griffin spur, with Winnipeg Electric Street railway at Talbot avenue, Elmwood.

December 7.—Inspection for opening for traffic of the line of the Montreal and Southern Counties railway between St. Cesaire and Granby, Que.

December 9.—Inspection of the line of the Canadian Northern railway *re* complaint of Mr. Hillar Zackarias, Sandy Lake, Manitoba, regarding lack of fencing at northwest quarter of section 3-18-20, west Principal meridian.

December 9.—Inspection *re* installation of automatic bell at Ottawa avenue, Edmonton, Alta.

December 9.—Inspection of interlocking signals at crossing of Canadian Pacific and Canadian Northern railways at Emerson, Man.

December 9.—Inspection of the line of the Grand Trunk Pacific railway at Kitwangar, B.C., *re* road crossing near station.

December 14.—Inspection of the line of the Canadian Northern Railway *re* change in location of station at St. Hermas.

December 15.—Inspection of the line of the Canadian Northern Railway *re* location of station at St. Eustache, Que.

December 15.—Inspection of Lake Erie and Northern railway for opening for traffic from the city of Galt to city of Brantford, a distance of 21.13 miles.

December 15.—Inspection of the line of the Canadian Northern railway at Drumheller, *re* workings of Premier Coal Company's mine under the Alberta Block Coal Company's spur.

December 15.—Inspection of the line of the Canadian Northern railway *re* spur track for the Winnipeg Supply and Fuel Co., in D.G.S. 41 St. James, in the rural municipality of Assiniboia.

December 16.—Inspection of proposed crossing of the tracks of the London Street railway at Richmond street by the London and Port Stanley railway.

December 17.—Inspection of the line of the Canadian Pacific railway *re* crossing at the southeast quarter section 6-13-20, west 3rd meridian, at mileage 46.2, Medicine Hat subdivision.

Decemher 18.—Inspection of the line of the Canadian Northern railway *re* complaint of Mr. Hillar Zacharius, Sandy Lake, Man., regarding lack of fencing at northwest quarter of section 3-18-20, west Principal meridian.

December 20.—Inspection of the Calgary-Tofield line of the Grand Trunk Pacific railway *re* complaint of Edwin Greenwood of Lousana, *re* company not fencing their right of way.

December 21.—Inspection of the line of the Canadian Northern railway *re* claim of Wm. Bell, Esq., for compensation in respect of lot 44, block D, plan 680, city of Winnipeg, Man.

January 4.—Inspection of highway crossings on the Niagara, St. Catharines and Toronto railway.

January 5.—Inspection of Niagara-on-the-Lake branch of the Canadian Northern Ontario railway for opening for traffic.

January 6.—Inspection of proposed crossing of Grand Trunk railway by the Toronto-Hamilton Highway at Burlington, Ont.

January 7.—Inspection of the main line of the Canadian Pacific railway *re* crossing 900 feet east of Pasque station in substitution for crossing at point 700 feet east of the station, southeast quarter of section 28-16-25, west 2nd meridian.

January 7.—Inspection of the Canadian Pacific railway crossing Portage avenue, with Winnipeg Electric Street railway.

January 7.—Inspection of the line of the Canadian Northern railway, Kindersley subdivision, from Saskatoon to Kindersley, a distance of 126 miles.

January 8.—Inspection of the line of the Canadian Pacific railway *re* removal of slow order placed at public crossing, one-half mile east of Binscarth, Man.

January 8.—Inspection of the line of the Canadian Northern railway *re* road crossings in the municipality of Whitehead.

January 10.—Inspection of interlocking plant at Kingston at crossing of the Grand Trunk railway and Canadian Pacific railway.

January 10.—Inspection of Mary and James street crossings at Belleville, Ont.

January 18.—Inspection *re* crossing Canadian Pacific railway, J. Y. Griffin spur with Winnipeg Electric Street railway, Talbot avenue, Elmwood.

January 18.—Inspection of the line of the Canadian Northern railway in Quebec.

January 20.—Inspection of interlocking plant at Kingston at crossing of the Grand Trunk railway and Canadian Pacific railway.

January 21.—Inspection of roadbed of the Canadian Northern Ontario railway between Toronto and Ottawa.

January 25.—Inspection of proposed grade elevation of the Grand Trunk railway at Montreal, Que.

January 27.—Inspection of Canadian Pacific Railway track, Laurentian subdivision, *re* complaint of Honoré Achim, of Nominingue, Que.

February 3.—Inspection of the location of the Canadian Pacific railway spur line for the Rigaud Granite Company, Rigaud, Que.

February 4.—Inspection of the line of the Vancouver, Victoria and Eastern railway at False Creek.

February 9.—Inspection of overhead bridge of the Canadian Pacific railway crossing, Eighth Avenue west, Moosejaw.

February 9.—Inspection *re* crossing Canadian Pacific railway, J. Y. Griffin spur with Winnipeg Electric Street railway at Talbot avenue, Elmwood.

February 9.—Inspection of aerial crossing of Grand Trunk railway and Canadian Northern railway tracks at Bloor street, Toronto.

February 9.—Inspection for opening for traffic of the Algoma Central and Hudson Bay railway revision at Bellevue, Ont., and of Bellevue viaduct and bridge, 150.60.

February 12.—Inspection of the spur track leading into Government elevator from the Canadian Northern Railway Goose Lake Branch and the Grand Trunk Pacific Main Line.

February 12.—Inspection of the line of the Canadian Northern Ontario Railway from Sudbury to Toronto.

February 12.—Inspection of the site of the public crossing across Stobie branch of the Canadian Pacific Railway in the township of McKim.

February 15.—Inspection of the Canadian Northern Ontario Railway near Grahams Bridge *re* grade crossing, township of Westmeath, Ont.

February 21.—Inspection of the line of the Midland Railway Company *re* complaint of Mr. Jos. Rinn, Elm Creek, Man., against neglect to erect fences on right of way on northwest quarter of section 32 and north half of southwest quarter; also northeast quarter of section 31 and north half of southeast quarter.

February 23.—Inspection of the line of the Canadian Northern Railway (Wroxton Westerly Branch) crossing the Minnedosa-Saskatoon Branch of the Canadian Pacific Railway.

February 23.—Inspection of the line of the Canadian Northern Saskatchewan Railway (Wroxton Westerly Branch) crossing the Minnedosa-Saskatoon Branch of the Canadian Pacific Railway.

February 24.—Inspection of Canifton Road Crossing on the line of the Grand Trunk Railway.

February 24.—Inspection of proposed farm crossing for Mr. Gay, on the line of the Grand Trunk Railway in the township of Sidney.

February 25.—Inspection of Canadian Northern Ontario Railway from Ottawa to Sydenham *re* condition of roadbed.

February 25.—Inspection *re* road diversion at mileage 107·7, on the Goose Lake extension of the Canadian Northern Railway on the northeast quarter of section 33, tp. 28, rge. 20, west 3rd meridian.

February 29.—Inspection of the Canadian Northern Railway branch lines in Quebec.

March 2.—Inspection of interlocking plant at crossing of Temiskaming and Northern Ontario Railway by the Canadian Northern Ontario Railway at North Bay, Ont.

March 3.—Inspection of extension of Pitt street, Glen Robertson, Ont., across the Grand Trunk Railway.

March 8.—Inspection of the line of the Canadian Pacific Railway in Calgary, east of Elbow River, *re* clearance of spurs.

March 9.—Inspection of opening of Leland street, West Hamilton, Ont., at grade level, across the Toronto, Hamilton and Buffalo Railway.

March 11.—Inspection of location of Rigaud Granite Company's spur at Rigaud, Que.

March 11.—Inspection of farm crossing over the Canadian Northern Railway in section 7-20-28, west 4th meridian.

March 18.—Inspection of the line of the Canadian Pacific Railway, Winnipeg Beach line, *re* culvert immediately to south side of Riverton station in section 20-34-4 east.

March 21.—Inspection of the line of the Canadian Northern Railway near Swan River, Man., *re* private crossing for T. Boughen, on the southwest section 10-37-27 west 1st meridian.

March 22.—Inspection of the line of the Great Northern Railway near Tulameen, B.C., between miles 222 and 223, *re* complaint of Mr. Fremled as to bad condition of fence.

March 24.—Inspection of the line of the Canadian Pacific Railway *re* street crossings in Revelstoke.

March 24.—Inspection of flood conditions at Belleville at Canadian Pacific and Canadian Northern Railway bridges.

March 24.—Inspection of the line of the Canadian Northern Railway *re* fencing in the vicinity of the farm of Jas. Vandall, Bedford Station, Man.

March 24.—Inspection of overhead highway bridge 1 mile west of Dunbarton Station, Ont., on the line of the Grand Trunk Railway.

March 25.—Inspection *re* opening up and establishing Cumming street, Fort William, Ont., as a public highway across the Canadian Northern Railway.

March 27.—Inspection of the Canadian Pacific Railway Bascule bridge across the Kaministiquia river, Fort William, Ont., *re* protection for pedestrian and vehicular traffic.

March 27.—Inspection of the Canadian Northern Quebec Railway branch line tracks in the Province of Quebec.

March 28.—Inspection of spur track leading into Canada Cement Company from the Grand Trunk Pacific over and across the Canadian Northern Railway at St. James.

March 28.—Inspection of the Grand Trunk Pacific Railway *re* filling north side of False Creek, Vancouver.

March 29.—Inspection of the line of the Canadian Pacific railway Cascade subdivision, *re* gate on culvert at Mile 63·2, complaint of Mr. Trites.

March 29.—Inspection of half interlocking plant at Hamilton, Ontario.

March 30.—Inspection of the line of the Canadian Pacific railway, Cascade subdivision, *re* road crossing between Hope and Yale, British Columbia.

March 30.—Inspection of the line of the Canadian Pacific railway *re* gates at Talbot Avenue, Winnipeg, Manitoba.

March 31.—Inspection *re* opening for traffic of the Canadian Pacific Railway Company's Ninth Avenue bridge at Broadview, Manitoba.

March 31.—Inspection of the Canadian Pacific railway *re* complaint of R. McKee *re* drainage at Eldon, Ontario.

APPENDIX "F."

OTTAWA, July 31, 1916.

DEAR SIR,—I have the honour to submit herewith, for the Board's 11th Annual Report, a synopsis of the work performed by its Operating Department during the year ending March 31, 1916.

THE REPORTING AND INVESTIGATING OF ACCIDENTS ATTENDED BY PERSONAL INJURY OR LOSS OF LIFE.

During the year accidents to the number of 1,336, covering 337 persons killed and 1,125 persons injured, were reported to the Board by the various railway companies under its jurisdiction. For particulars, the reader's attention is directed to statements Nos. 1, 3 and 4.

Out of the total of 1,336 accidents reported, as above referred to, accidents to the number of 473, covering 171 persons killed and 491 persons injured, were inquired into. Statements Nos. 7, 8 and 9 set out in detail the investigations made as regards derailments, collisions and highway crossing accidents, numbering 173. The remainder of the investigations which number 300, are spread over accidents covered by the various other headings, referred to in statements Nos. 3 and 4.

It is pointed out that out of the total of 337 persons killed and 1,125 persons injured, there were "Trespassers" to the number of 143 killed and 102 injured. In this connection reference is made to Statement No. 14.

A perusal of statements Nos. 2, 5 and 6 shows the same number of persons killed as during the preceding year, namely 337. While there was an increase in passengers killed of 9 and an increase in employees killed of 21 (30), this is offset by the decrease in "Others" killed of 30. As regards the number of injured, the statement shows a decrease of 238 as compared with the preceding year, made up as follows, passengers 99, employees 85 and others 54.

Attention is now directed to statements Nos. 13 (*a*) and (*b*), setting out in detail the situation as regards highway crossing accidents during the past five years. It will be observed therefrom that there has been a total of 524 accidents, covering 242 persons killed and 417 persons injured. There have been 129 accidents at protected crossings, covering 59 persons killed and 95 persons injured. At unprotected crossings there have been 395 accidents, covering 183 killed and 322 injured. The 15 accidents in which automobiles were concerned at protected crossings show 11 persons killed and 13 persons injured, as follows, 2 killed and 4 injured at crossings protected by gates—3 killed and 4 injured at crossings protected by watchmen—and 6 killed and 5 injured at crossings protected by bells. In 1912 the records are clear as to automobile accidents at protected crossings, but in 1913 there were three persons injured, in 1914 there were three persons killed and 4 injured, in 1915 there were two persons killed and two persons injured, and in 1916 there were six persons killed and 4 persons injured. The most serious accident in which an automobile was concerned at a highway crossing occurred at a crossing protected by an automatic bell, and in this particular accident there were 4 persons killed and 1 seriously injured.

The matter of crossing accidents during the past year is set out in detail in statements Nos. 3, 4, 9 and 10.

As to the protection provided at highway crossings during the past year reference is made to statements Nos. 11 and 12.

While touching upon the matter of highway crossing accidents, it might not be amiss to point out that several accidents with fatal results have occurred on highway crossings intersected by a double track line of railway. In some cases the accidents occurred at protected crossings. These accidents have all occurred through the party or parties being stopped by a train, say going east, and the minute it cleared the crossing proceeded on, only to be struck by a train travelling in the opposite direction. Great care should be exercised by all persons when approaching such a crossing, to see that there is no train approaching the same from the opposite direction.

INSPECTION OF SAFETY APPLIANCES ON FREIGHT CARS.

This is a matter that is covered by the Board's General Order No. 102. The details of the year's work are set forth in statements Nos. 17, 18 and 19 (*a*) and (*b*).

INSPECTION OF LOCOMOTIVE BOILERS, FIRE PROTECTIVE AND SAFETY APPLIANCES.

The above matters are taken care of under the Board's General Orders Nos. 78, 102 and 107. During the year the inspectors inspected and reported upon approximately 7,500 locomotives. The boiler inspection work is given close attention, as is evidenced by the fact that approximately 55,000 reports, constituting monthly and annual inspections, have been filed with the Board. The records show that there have been no accidents of any consequence, so far as locomotive boilers and their appurtenances are concerned, during the year.

INSPECTION OF PASSENGER EQUIPMENT, STATION BUILDINGS AND PREMISES.

A systematic inspection of passenger cars, station buildings and premises has been carried on throughout the year with a view as to safety, accommodation, cleanliness, etc. Numerous matters have been brought to the attention of the proper officers under this heading.

APPLICATIONS AND COMPLAINTS *re* TRAIN AND STATION SERVICE.

A large part of the work of the Department is the inquiring into applications and complaints in the matter of train and station service. These number several hundred and will be found enumerated in another appendix, prepared by the Secretary's Department.

It might not be amiss to point out that a great deal of work which would come under this heading was done in connection with the movement of the western grain crop for the year 1915, involving considerable travel and discussions and correspondence with the different railways, elevators, farmers, etc.

There was also considerable work in the months of January, February and March in connection with the shortage of fuel for domestic use in the Prairie Provinces. Difficulties in transportation were brought about very materially by extremely cold and stormy weather blocking some of the branch lines for weeks.

The time of the operating department's staff was taken up with both these subjects more or less continuously from November until March.

In conclusion, it might be stated that in order to accomplish the work briefly outlined above, it has necessitated the travelling of approximately 325,000 miles by the staff of the Department.

Faithfully yours,

(Sgd.) GEO. SPENCER,

Chief Operating Officer.

A. D. CARTWRIGHT, Esq.,

Secretary, B.R.C.,

Building.

SESSIONAL PAPER No. 20c

THE BOARD OF RAILWAY COMMISSIONERS FOR CANADA.

No. 1.—STATEMENT showing the number of passengers, employees and other persons killed and injured on the various railways in Canada, under the Board's jurisdiction, for the year ending March 31, 1916.

Name of Railway.	Passengers.		Employees.		Others.		Total.	
	K.	I.	K	I,	K.	I.	K.	I.
Grand Trunk	5	45	39	182	78	69	122	296
Canadian Pacific	8	27	56	91	66	62	130	180
Canadian Northern	1	10	7	93	14	24	22	127
Toronto, Hamilton and Buffalo	1			48	5	3	6	51
Michigan Central		2	5	202	6	7	11	211
Père Marquette			1	14	1	1	2	15
Grand Trunk Pacific			3	28	1		4	28
Canadian Northern, Quebec		6		47	5	9	5	62
Quebec and Lake St. John		5		3		1		9
St. Lawrence and Adirondack		7		5		4		16
Quebec, Montreal and Southern		2		2		2		6
Algoma Central and Hudson Bay	1		1	1	1	1	3	2
Temiscouata					1		1	
Winnipeg Joint Terminals			3	1			3	1
Canadian Northern, Ontario		3		13	4	2	4	18
Quebec Oriental						1		1
Niagara, St. Catharines and Toronto				3	2		2	3
Central Vermont						1		1
Montreal and Southern Counties	1	28		3			1	31
Ottawa and New York				2	2	2	2	4
Morrissey, Fernie and Michel				1		1		2
Halifax and Southwestern		1	2	5		1	2	7
Wabash			1	13	8		9	13
Boston and Maine			1	2			1	2
Windsor, Essex and Lake Shore		1	1				1	1
Midland				1				1
Vancouver, Victoria and Eastern		2		25		4		31
Dominion Atlantic					3		3	
Great Northern				1				1
Esquimalt and Nanaimo		1		1	1	1	1	3
Maine Central				1	1		1	1
London and Port Stanley					1	1	1	1
	17	140	120	788	200	197	337	1125

THE BOARD OF RAILWAY COMMISSIONERS FOR CANADA.

No. 2.—A COMPARATIVE Statement of killed and injured between years ending March 31, 1915 and 1916.

	Passengers.		Employees.		Others.		Total.	
	K.	I.	K.	I.	K.	I.	K.	I.
Year ending March 31, 1915	8	239	99	873	230	251	337	1,363
" " 31, 1916	17	140	120	788	200	197	337	1,125
Increase over 1915	9		21					
Decrease over 1915		99		85	30	54		238

THE BOARD OF RAILWAY COMMISSIONERS FOR CANADA.

No. 3.—STATEMENT showing separately the number of passengers, employees and others killed and injured, and the nature of the accidents, for the year ending March 31, 1916.

Character of Accidents.	Passengers.		Employees.		Others.		Total.	
	K.	I.	K.	I.	K.	I.	K.	I.
Derailment		20	6	34		1	6	55
Collision, head on	2	1	2	4			4	5
Collision, rear end		43	11	32		1	11	76
Collision in yard		4	23	27	3		26	31
Collision with cars standing foul of main line			1				1	
Collision with cars, account open switch		1		2				3
Collision at level crossing						1		1
Highway crossing protected by gates					3	4	3	4
Highway crossing protected by bell					9	8	9	8
Highway crossing protected by watchman					2	5	2	5
Highway crossing unprotected			3	4	28	53	31	57
Private crossing					3	2	3	2
Trespassing			3	7	140	95	143	102
Working on or under engine			1	49		1	1	50
Unclassified	3	26	8	169	3	17	14	212
Adjusting couplers, coupling and uncoupling			5	39			5	39
Working on track or bridge			1	58			1	58
Falling off hand car, motor or velocipede				20		1		21
Hand car, motor, velocipede, struck by train			5	3			5	3
Crawling under cars				1				1
Crawling through cars over couplers			1				1	
Caught while passing through cars between couplers			3	4			3	4
Cars standing foul			1	3			1	3
Struck by switch stand, water spout, etc			2	6			2	6
Crushed between cars, buildings, platforms, etc		1	2	7			2	8
Explosion of locomotive boiler								
Falling off passenger train	1	11		1			1	12
Falling off tender while handling coal				1				1
Falling off tender while taking water				4				4
Working in shop			3	99			3	99
Riding on pilot of engine			2	2			2	2
Overhead bridge				1				1
Repairing cars on repair track when moved by engine								
Falling off top of car while walking over train			5	22			5	22
Falling between cars going over top				3				3
Train parting and colliding				7				7
Jumping off train in motion	6	22	5	14		2	11	38
Attempt to board train in motion	3	7	2	14	3	1	8	22
Washout								
Bridge gave way or burnt			1				1	
Electrocuted			1				1	
Run down by engine or car	2	4	19	36	6	2	27	42
Passing too close around end of string of cars								
Caught in frog, guard-rail or switch rod				3				3
Caught while throwing switch								
Falling off cars while climbing up and coming down side or end ladders			2	8			2	8
Falling off cars while working hand-brake				4				4
Asphyxiated in tunnel								
Handling freight			2	38		2	2	40
Loading and unloading O.C.S. material				39		1		40
Building and repairing				6				6
Working in coal chute				10				10
Cars moved while loading and unloading				5				5
Drawbridge open								
Repairing cars on running track when moved by engine				2				2
Locomotive dropping crown sheet of fire-box								
	17	140	120	788	200	197	337	1,125

BOARD OF RAILWAY COMMISSIONERS FOR CANADA.

20c—24½

No. 4.—STATEMENT showing the character of accidents sustained by the persons killed and injured on the various railways under the jurisdiction of the Board for the year ending March 31, 1916.

	Derailment.		Collision head on		Collision rear end.		Collision in yard.		Collision with cars standing foul of main line.		Collision with cars account open switch.		Collision at level crossing.		Public highway crossing protected by gates.		Public highway crossing protected by bell.	
	K.	I.	K.	I.	K.	I	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.	K.	I
Grand Trunk	2	24	1	2	3	22	1	4				1			2	4	4	6
Canadian Pacific	2	6	3		5	5	22	20				1		1	1			1
Canadian Northern	2	14		2	1	8		2										
Toronto, Hamilton & Buffalo		1																
Michigan Central		2				1		4									4	1
Pere Marquette																		
Grand Trunk Pacific		1			2	2												
Canadian Northern Quebec		2				5		1										
Quebec & Lake St. John		3																
St. Lawrence & Adirondack																		
Quebec, Montreal & Southern																		
Algoma Central & Hudson Bay									1									
Temiscouata																		
Winnipeg Joint Terminals							3										1	
Canadian Northern Ontario		2		1														
Quebec Oriental												1						
Niagara, St. Catharines & Toronto						1												
Central Vermont						31												
Montreal & Southern Counties																		
Ottawa & New York																		
Morrissey, Fernie & Michel																		
Halifax & Southwestern																		
Wabash						1												
Boston & Maine																		
Windsor, Essex & Lake Shore																		
Midland																		
Vancouver, Victoria & Eastern																		
Dominion Atlantic																		
Great Northern																		
Esquimalt & Nanaimo																		
Maine Central																		
London & Port Stanley																		
	6	55	4	5	11	76	26	31	1			3		1	3	4	9	8

THE BOARD OF RAILWAY COMMISSIONERS FOR CANADA.

No. 4.—STATEMENT showing the character of accidents sustained by the persons killed and injured on the various railways under the jurisdiction of the Board for the year ending March 31, 1916.—*Continued.*

—	Public highway crossing protected by watchman.		Public highway crossing unprotected.		Private Crossing.		Trespassing.		Working on or under engine.		Unclassified.		Adjusting couplers, coupling and uncoupling.		Working on track or bridge.		Falling off hand car motor or velocipede.		Hand car motor, velocipede struck by train.	
	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.
Grand Trunk	1	3	10	15	1		57	38	1	12	4	47	2	10		7			1	
Canadian Pacific	1	1	10	18	2	1	52	36		1	2	14	2	9	1	3			4	21
Canadian Northern		1	3	12		1	7	8		4	5	17		6		7		7		
Toronto, Hamilton & Buffalo				2			1	1		2		19		1		8		1		
Michigan Central				4			6	5		21		39		4		21		5		
Père Marquette				1			1			1		2		2		1		1		
Grand Trunk Pacific							1					8		3		5		2		
Canadian Northern Quebec			2	1			3	4		2		19				2		4		
Quebec & Lake St. John								1		1										
St. Lawrence & Adirondack								1		1		10								
Quebec, Montreal & Southern								1		2		3								
Algoma Central & Hudson Bay								1			1									
Temiscouata																				
Winnipeg Joint Terminals																				
Canadian Northern Ontario							3					7		1						
Quebec Oriental								1												
Niagara, St. Catharines & Toronto							2													
Central Vermont				1																
Montreal & Southern Counties											1									
Ottawa & New York			1	1			1					1								
Morrissey, Fernie & Michel								1				1								
Halifax & Southwestern								1			1	2		1						
Wabash			4	1			4			3		3								
Boston & Maine												1	1							
Windsor, Essex & Lake Shore																				
Midland												1								
Vancouver, Victoria & Eastern								2				17		1		3		1		
Dominion Atlantic							3													
Great Northern														1						
Esquimalt & Nanaimo							1	1				1								
Maine Central							1									1				
London & Port Stanley			1	1																
	2	5	31	57	3	2	143	102	1	50	14	212	5	39	1	58		21	5	3

THE BOARD OF RAILWAY COMMISSIONERS FOR CANADA.

No. 4.—STATEMENT showing the character of accidents sustained by the persons killed and injured on the various railways under the jurisdiction of the Board for the year ending March 31, 1916.—*Continued.*

	Crawling under cars.		Crawling through cars overcouplers.		Caught while passing cars between couplers.		Cars standing foul.		Struck by switch stand, water spout, mail crane, etc.		Crushed between cars, building, lumber piles, etc.		Explosion of locomotive boiler.		Falling off passenger train.		Falling off tender while handling coal.	
	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.
Grand Trunk			1		1	3	1	2	1	4	1	3				3		
Canadian Pacific					2	1			1	2		3			1	9		
Canadian Northern								1				1						
Toronto, Hamilton and Buffalo																		
Michigan Central																		
Père Marquette																		
Grand Trunk Pacific																		
Canadian Northern, Quebec																		
Quebec and Lake St. John																		
St. Lawrence and Adirondack																		
Quebec, Montreal and Southern																		
Algoma Central and Hudson Bay																		
Temiscouata																		
Winnipeg Joint Terminals																		
Canadian Northern Ontario																		
Quebec Oriental												1						1
Niagara, St. Catharines and Toronto																		
Central Vermont																		
Montreal and Southern Counties																		
Ottawa and New York																		
Morrissey, Fernie and Michel																		
Halifax and Southwestern																		
Wabash		1									1							
Boston and Maine																		
Windsor, Essex and Lake Shore																		
Midland																		
Vancouver, Victoria and Eastern																		
Dominion Atlantic																		
Great Northern																		
Esquimalt and Nanaimo																		
Maine Central																		
London and Port Stanley																		
		1	1		3	4	1	3	2	6	2	8			1	12		1

THE BOARD OF RAILWAY COMMISSIONERS FOR CANADA.

No. 4 —STATEMENT showing the character of accidents sustained by the persons killed and injured on the various railways under the jurisdiction of the Board for the year ending March 31, 1916.—*Continued.*

	Falling off tender while taking water.		Working in shop.		Riding on pilot of engine.		Overhead bridge.		Repairing cars on repair track when moved by engine.		Falling off top of car while walking over train.		Falling between cars going over top.		Train parting and colliding.		Jumping off train in motion.		Attempt to board train in motion.	
	K.	I.	K.	I.	K.	I.	K	I.	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.
Grand Trunk	....	1	1	13	....	....	....	1	....	....	2	13	....	1	....	1	4	11	4	4
Canadian Pacific	....	1	2	....	1	1	....	....	....	....	....	4	....	....	....	1	4	8	3	2
Canadian Northern	....	....	....	4	1	1	....	....	....	....	....	2	....	....	....	1	....	4	....	2
Toronto, Hamilton and Buffalo	....	....	....	2	....	....	....	....	....	....	....	....	....	....	....	....	1	3	....	1
Michigan Central	....	....	....	68	....	....	....	....	....	....	....	2	....	....	....	3	1	1	....	3
Père Marquette	....	....	....	4	....	....	....	....	....	....	1	....	....	....	....	....	....	....	....	....
Grand Trunk Pacific	....	....	....	3	....	....	....	....	....	....	....	....	....	....	....	....	....	2	....	....
Canadian Northern Quebec	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	2	....	1
Quebec and Lake St. John	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	1	....	1	....	1
St. Lawrence and Adirondack	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
Quebec, Montreal and Southern	....	....	....	....	....	....	....	....	....	....	....	....	....	1	....	....	....	....	....	....
Algoma Central and Hudson Bay	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
Témiscouata	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
Winnipeg Joint Terminals	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
Canadian Northern Ontario	....	2	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	1	....	....
Quebec Oriental	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
Niagara, St. Catharines and Toronto	....	....	....	....	....	....	....	....	....	....	....	....	....	1	....	....	....	....	....	....
Central Vermont	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
Montreal and Southern Counties	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
Ottawa and New York	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
Morrissey, Fernie and Michel	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
Halifax and Southwestern	....	....	....	2	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
Wabash	....	....	....	1	....	....	....	....	....	....	....	1	....	....	....	....	1	1	....	1
Boston and Maine	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
Windsor, Essex and Lake Shore	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	1	....	....
Midland	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
Vancouver, Victoria and Eastern	....	....	....	2	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
Dominion Atlantic	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
Great Northern	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
Esquimalt and Nanaimo	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	1	....	....
Maine Central	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
London and Port Stanley	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
	....	4	3	99	2	2	....	1	....	....	5	22	....	3	....	7	11	38	8	22

THE BOARD OF RAILWAY COMMISSIONERS FOR CANADA.

No. 4.—STATEMENT showing the character of accidents sustained by the persons killed and injured on the various railways under the jurisdiction of the Board for the year ending March 31, 1916.

	Washout.		Bridge gave way or burnt.		Electrocuted.		Run down in yard by switch or other engine or moving cars.		Passing too close around end of string of cars.		Caught in frog, guard rail, or switch rod.		Caught while throwing switch.		Falling off cars while climbing up and coming down side or end ladders.		Falling off cars while working hand brakes.	
	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.
Grand Trunk							13	15							1	1		
Canadian Pacific							6	15							1	1		1
Canadian Northern							3	3										1
Toronto, Hamilton & Buffalo																1		1
Michigan Central							4	3				1				1		
Père Marquette												1						
Grand Trunk Pacific			1													1		
Canadian Northern Quebec								2								2		
Quebec & Lake St. John																		
St. Lawrence & Adirondack																		
Quebec, Montreal & Southern																		
Algoma Central & Hudson Bay																		
Temiscouata							1											
Winnipeg Joint Terminals								1										
Canadian Northern Ontario												1						
Quebec Oriental																		
Niagara, St. Catharines & Toronto								1										
Central Vermont																		
Montreal & Southern Counties																		
Ottawa & New York								2										
Morrissey, Fernie & Michel																		
Halifax & Southwestern																		
Wabash																		
Boston & Maine																		1
Windsor, Essex & Lake Shore					1													
Midland																		
Vancouver, Victoria & Eastern																1		
Dominion Atlantic																		
Great Northern																		
Esquimalt & Nanaimo																		
Maine Central																		
London & Port Stanley																		
			1		1		27	42				3			2	8		4

THE BOARD OF RAILWAY COMMISSIONERS FOR CANADA.

No. 4.—STATEMENT showing the character of accidents sustained by the persons killed and injured on the various railways under the jurisdiction of the Board for the year ending March 31, 1916—*Continued.*

	Asphyxiated in tunnel		Handling freight.		Loading and unloading O.C.S. material.		Building and repairing.		Working in coal chute.		Cars moved while loading and unloading.		Drawbridge open.		Repairing cars on running track when moved by engine.		Locomotive dropping crown sheet of firebox.		Total.	
	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.
Grand Trunk			2	14		7		2		1						1			122	296
Canadian Pacific				1		2		1								1			130	180
Canadian Northern				5		5				6		1							22	127
Toronto, Hamilton and Buffalo				3		4													6	51
Michigan Central				3		15				1		4							11	211
Père Marquette				1		1													2	15
Grand Trunk Pacific				1		3													4	28
Canadian Northern Quebec				7		1		3		2									5	62
Quebec and Lake St. John				1																9
St. Lawrence and Adirondack				1																16
Quebec, Montreal and Southern																				6
Algoma Central and Hudson Bay																			3	2
Temiscouata																			1	
Winnipeg Joint Terminals																			3	1
Canadian Northern Ontario																			4	18
Quebec Oriental																				1
Niagara, St. Catharines & Toronto																			2	3
Central Vermont																				1
Montreal and Southern Counties																			1	31
Ottawa and New York																			2	4
Morrissey, Fernie and Michel																				2
Halifax and Southwestern				1															2	5
Wabash																			9	13
Boston and Maine																			1	2
Windsor, Essex and Lake Shore																			1	1
Midland																				1
Vancouver, Victoria and Eastern				2		2														31
Dominion Atlantic																			3	
Great Northern																				1
Esquimalt and Nanaimo																			1	3
Maine Central																			1	1
London and Port Stanley																			1	1
			2	40		40		6		10		5				2			337	1125

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THE BOARD OF RAILWAY COMMISSIONERS FOR CANADA.

STATEMENT No. 5.—Comparative statement in totals of killed and injured between years ending March 31, 1915, and March 31, 1916, separately for each and every accident.

Character of Accidents.	1915.		1916.		1916. Increase.		1916. Decrease.	
	K.	I.	K.	I.	K.	I.	K.	I.
Derailment	7	82	6	55			1	27
Collision head on	2	46	4	5	2			41
Collision rear end	7	49	11	76	4	27		
Collision in yard	3	54	26	31	23			23
Collision with cars standing foul of main line		2	1		1			2
Collision with cars account open switch		4		3				1
Collision at level crossing	2	22		1			2	21
Highway crossing protected by gates	6	10	3	4			3	6
Highway crossing protected by bell	2	7	9	8	7	1		
Highway crossing protected by watchman	2	5	2	5				
Highway crossing unprotected	37	68	31	57			6	11
Private crossing	3	2	3	2				
Trespassing	170	126	143	102			27	24
Working on or under engine	2	55	1	50			1	5
Unclassified	12	208	14	212	2	4		
Adjusting couplers, coupling or uncoupling	7	38	5	39		1	2	
Working on track or bridge	3	86	1	58			2	28
Falling off hand car, motor or velocipede	4	26		21			4	5
Hand car, motor, velocipede struck by train	5	9	5	3				6
Crawling under cars		1		1				
Crawling between cars over couplers	1	1	1					1
Caught while passing through cars between couplers	1	4	3	4	2			
Cars standing foul		7	1	3	1			4
Struck by switch stand, water spout, etc	1	8	2	6	1			2
Crushed between cars, buildings, platforms, etc		9	2	8	2			1
Explosion of locomotive boiler								
Falling off passenger train	3	11	1	12		1	2	1
Falling off tender while handling coal		6		1				5
Falling off tender while taking water		7		4				3
Working in shop	4	98	3	99		1	1	
Riding on pilot of engine	2	6	2	2				4
Overhead bridge		1		1				
Repairing cars on repair track when moved by engine		1						1
Falling off top of car while walking over train	4	22	5	22	1			
Falling between cars going over top	2	3		3			2	
Train parting and colliding	1	3		7		4	1	
Jumping off train in motion	3	45	11	38	8			7
Attempt to board train in motion	2	29	8	22	6			7
Washout		21						21
Bridges gave way or burnt	1	1	1					1
Electrocuted	2		1				1	
Run down, by engine or car	35	41	27	42		1	6	
Passing too close around end of string of cars		2						2
Caught in frog, guard rail or switch rod		1		3		2		
Caught while throwing switch		1						1
Falling off cars while climbing up and coming down side or end ladders	1	6	2	8	1	2		
Falling off cars while working hand-brake	1	6		4			1	2
Asphyxiated in tunnel								
Handling freight		21	2	40	2	19		
Loading or unloading O. C. S. material		68		40				28
Building and repairing		13		6				7
Working in coal chute	1	7		10		3	1	
Cars moved while loading or unloading		9		5				4
Drawbridge open								
Repairing cars on running track when moved by engine		2		2				
Locomotive dropping crown sheet of fire-box		3						3
	337	1,363	337	1,125	63	66	63	304
	337	1,125						66
		238		Decrease.				238

THE BOARD OF RAILWAY COMMISSIONERS FOR CANADA.

STATEMENT No. 6.—Comparative statement in totals of killed and injured between year ending March 31, 1915, and March 31, 1916, for each railway separately.

Name of Railway.	1915.		1916.		1916.			
					Increase.		Decrease.	
	K.	I.	K.	I.	K.	I.	K.	I.
Grand Trunk	129	514	122	296			7	218
Canadian Pacific	135	198	130	180			5	18
Canadian Northern	26	275	22	127			4	148
Toronto, Hamilton & Buffalo	4	59	6	51	2			8
Michigan Central	5	36	11	511	6	475		
Pere Marquette	2	55	2	15				40
Grand Trunk Pacific	5	84	4	28			1	56
Canadian Northern Quebec	7	26	5	62		36	2	
Quebec & Lake St. John		1		9		8		
St. Lawrence & Adirondack	2	13		16		3	2	
Quebec, Montreal & Southern		2		6		4		
Algoma Central & Hudson Bay	1	3	3	2	2			1
Temiscouata			1		1			
Winnipeg Joint Terminals		2	3	1	3			1
Canadian Northern Ontario	5	19	4	18			1	1
Quebec Oriental		1		1				
Niagara, St. Catharines & Toronto		3	2	3	2			
Central Vermont		2		1				1
Montreal & Southern Counties			1	31	1	31		
Ottawa & New York	2	6	2	4				2
Morrissey, Fernie & Michel		1		2		1		
Halifax & Southwestern		2	2	7	2	5		
Wabash	4	9	9	13	5	4		
Boston & Maine	3	3	1	2			2	1
Windsor, Essex & Lake Shore	1	20	1	1				19
Midland				1		1		
Vancouver, Victoria & Eastern		18		31		13		
Dominion Atlantic	1	2	3		2			2
Great Northern				1		1		
Esquimalt & Nanaimo	2	3	1	3			1	
Maine Central			1	1	1	1		
London & Port Stanley			1	1	1	1		
Atlantic, Quebec & Western		1						1
Central Ontario	2						2	
Algoma Eastern		1						1
Chatham, Wallaceburg & Lake Erie		1						1
Erie & Ontario		1						1
Brantford & Hamilton	1	2					1	2
	337	1,363	337	1,125	28	284	28	522
	337	1,125						284
		238		Decrease				238

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STATEMENT No. 7.—Statement showing collisions attended by personal injury investigated during year ending March 31, 1916.

File.	Date.	Railway.	Place.	Killed.	Injured.
Inv.	1915.				
3852	April 13	G.T.R	Stratford roundhouse	1	
3864	April 23	G.T.R	Hyde Park Jct		2
3897	May 17	G.T.R	Fort Erie		1
3906	May 19	G.T.R	Depot Harbour yard		1
3975	Aug. 29	Q. & L. St. J	Charlesbourg		1
4001	Sept. 20	M.C.R	Welland, just west		1
4031	Sept. 17	C.N.Q	St. Paulin, M.P. 106		1
4046	Oct. 5	N. St. C	Chaplin's siding, Lake Shore S.D.		1
4074	Nov 25	G.T.R	Belœil, 1 mile west		2
4097	Nov. 7	C.P.R	Mil. 133-6, Moosejaw S.D	1	
4110	Oct. 15	A.C. & H.B	M.P. 9½ Magpie Beach	1	
4119	Dec. 8	C.P.R	Stittsville yard		1
4124	Nov. 8	G.T.P	Oban, Sask		2
4127	Dec. 18	M. & S. C	Victoria Jubilee Bridge		31
4128	Oct. 29	G.T.P	Mile Post, 43½ from Prince Rupert	2	1
4157	Dec. 29	G.T.R	Paris Junction		1
4175	Dec. 18	C.P.R	Fort William, Ont	3	
4181	Dec. 9	C.N.R	Rosedale		1
4182	Dec. 13	C.N.R	9 poles west M.P. 56 Mabella, Port Arthur S		1
4186	Jan. 14	G.T.R	Toronto, Dunn avenue		2
4191	Jan. 22	C.N.Q	Aldred, Joliette S.D.		1
4197	Nov. 25	C.P.R	Mileage 192, Lethbridge S.D		3
4198	Jan. 25	G.T.R	Belleville yard		1
4200	Jan. 25	C.N.O	Rideau yard, 2 miles east		1
4206	Jan. 28	C.P.R	Bury, Que		1
4220	Feb. 11	C.N.Q	Mil. 133-35 east of Elizabeth station		5
4221	Dec. 30	C.P.R	Near Belbeck, Sask	1	1
4223	Feb. 2	M.C.R	Windsor yard		1
4224	Jan. 4	C.P.R	Moosejaw, 1½ miles east of	2	
4227	Jan. 12	C.N.R	Edmonton		1
4256	Jan. 3	Wabash	Aylmer, 3 miles east		1
4271	Dec. 31	C.N.R	Kindersley S.D., near Saskatoon		2
4276	Feb. 28	G.T.R	Gore		2
4283	Mar. 23	G.T.R	Port Credit	3	16
4295	Jan. 12	C.P.R	Brandon	19	10
4300	Jan. 31	C.N.R	Goodwater		1
4150	Dec. 3	C.P.R. & Wp. El. Ry	Winnipeg, Talbot street		1

NOTE—Thirty-seven investigations covering 33 persons killed and 98 persons injured.

STATEMENT No. 8.—Statement showing derailments attended by personal injury investigated during year ending March 31, 1916.

File.	Date.	Railway.	Place.	Killed.	Injured.
Inv.	1915.				
3840	Mar. 3	G.T.R	Hawkesbury		2
3842	Mar. 5	A.Q. & W	Le Bresley's Garsons		1
3884	May 5	G.T.R	Lidden Jct		1
3886	May 10	C.P.R	Pennfield Tank, 1½ miles east		1
3896	May 19	G.T.R	Bethany, 1½ miles east		1
3901	May 31	G.T.R	Ilderton, 1 mile south		29
3934	May 14	G.T.P	M. P. 53, 6 poles south		2
3947	July 19	C.N.R	Janet, Alta		2
3949	July 26	C.P.R	Mil. 66, Crows Nest S.D		1
3958	Aug. 4	T.H. & B	Dundas, ½ mile west		1
3974	June 30	Q. & L. St. J	Quebec, M.P. 177		2
3979	Aug. 27	C.N.R	Limoilou Jct		1
3986	Aug. 17	C.P.R	Golden, ½ mile east	1	1
3987	Aug. 14	C.N.O	Kinghorn siding	1	1
4004	Sept. 24	G.T.R	Gilbert		5
4009	Sept. 20	C.P.R	Near Mil. 33 Coronation S.D	1	1
4012	Sept. 26	G.T.R	Newtonville	1	
4013	Sept. 27	G.T.R	Oakville, 2 miles west		8
4034	Oct. 8	M.C.R	Alviston, Ont		1
4061	Oct. 18	C.P.R	M.P. 4.2 Waltham S.D		1
4075	Oct 31	G.T.R	Montreal, Turcot		2
4133	Nov. 18	C.P.R	Mil. 1.6 Shuswap S.D		1
4137	Dec. 15	C.N.Q	Limoilou yard		1
4139	Dec. 12	G.T.R	Bromptonville, Que		1
4149	Nov. 14	C.N.R	Kamloops, mile post 22	1	4
4151	Jan. 13	G.T.R	Dorval, Que	1	1
4205	Jan. 17	G.T.R	Point Levis		1
4228	Feb. 7	C.N.Q	Perthius		2
4239	Feb. 16	G.T.R	Lachine		1
4245	Feb. 27	C.N.Q	Arundel, ¼ mile south		2
4263	Mar. 6	C.N.R	Mil. 198, 10 poles east		1
4264	Feb. 25	G.T.R	Kingston Jct	1	
4266	Feb. 13	G.T.R	Forest		3
4293	Feb. 8	C.N.R	Mile Post 106 Kipling S.D		2
4294	Dec. 25	C.N.R	Mileage 273·9, 3 miles east		2
4297	Feb. 14	C.N.R	Moore, Oak Point S.D		1

NOTE—36 investigations covering seven persons killed and 87 persons injured.

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STATEMENT No. 9.—Statement showing highway crossing accidents attended by personal injury investigated during year ending March 31, 1916.

File.	Date.	Railway.	Place.	Killed.	Injured.
Inv.	1915.				
3836	Nov. 24 (1914).	C.V.R.	Stanbridge, crossing ¼ mile north.		1
3838	Mar. 22	C.P.R.	Milton, Martin st	1	
3839	Mar. 20	P.M.R.	St. Thomas, Talbot st		1
3841	Mar. 16	G.T.R	Brantford, Grey st	1	
3843	Mar. 18	C.P.R	Thorah, crossing Mil. 42.5	1	
3846	Mar. 2	C.P.R.	Osage, 1st crossing east		1
3848	Feb. 3	C.P.R.	McDonald, McBain's crossing		2
3849	Mar. 22	G.T.R	London, Rectory st		1
3853	April 6	G.T.R	Ottawa, Parkdale ave	1	
3855	Mar. 30	G.T.R.	Toronto, Frederick st		1
3858	April 19	C.P.R.	St. Philippe, St. Andre range crossing	1	
3860	April 16	C.N.R.	Smiths Falls, 1st public crossing west.		1
3869	April 29	G.T.R	Port Colborne, Charlotte st		1
3872	Mar. 23	C.N.R.	Calgary, 1st crossing east		1
3875	May 7	G.T.R.	Vineland, crossing west of	1	
3878	May 7	C.P.R	Toronto, Symington ave		1
3881	May 3	G.T.R.	Cardinal, Nill siding		1
3887	Apr. 19	T.H.& B.	Brantford, Greenwich		1
3888	May 13	C.V.R	St. Armand, 1st crossing north station		1
3889	May 3	G.T.R.	Tillsonburg, Brock st. crossing		1
3892	May 13	G.T.R.	Howich, crossing north station		1
3893	May 20	C.P.R.	West Toronto, Eglington ave	1	
3898	June 1	G.T.R.	Coaticooke, 5 crossing west	1	
3902	May 23	P.M.R.	Port Stanley, Warren st		1
3903	May 25	C.N.R.	Colbourne, 1st crossing east station	1	
3909	May 31	C.N.R.	Clarkleigh, crossing M.P. 66	1	
3910	June 3	G.T.R.	King, Mil. 23·12 Springhill	1	
3922	June 23	C.P.R.	Magog, Lake st		1
3923	June 14	G.T.R.	Point St. Charles, Charlevoix st	1	
3926	June 10	C.P.R	Cooksville, centre road crossing.	1	
3927	June 17	G.T.R.	Moorefield, 1st crossing south.		2
3929	June 9	G.T.R.	London, Adelaide st		1
3931	June 24	G.T.R	Cornwall, 9-mile road	1	
3935	June 24	C.P.R.	Quebec, Dorchester st		1
3936	July 12	G.T.R.	Thamesville, crossing 100 yards east.	2	1
3939	July 2	G.T.R	Lorne Park		2
3941	June 25	G.T.R.	Valleyfield, Grand Isle ave		1
3942	June 30	C.P.R.	Farnham, east Adamsville st		2
3943	July 4	G.T.R.	Lorne Park	1	
3949	July 19	C.N.R.	Mil. 12, 11 miles west Brockville		4
3952	July 28	G.T.R	Hespeler, 2nd crossing south	1	
3953	Aug. 1	L.& L.E.	London, Emery st. crossing		
3954	July 27	G.T.R.	Montreal, Canning st	1	
3957	Aug. 14	G.T.R	Hamilton, King st	1	1
3961	Aug. 14	L.& P.S	Port Stanley, Warren st	1	1
3962	Aug. 28	T.H.& B.	Ancaster, Tp. Wentworth, road crossing	4	1
3971	Aug. 11	G.T.R.	Alvinston, crossing 10th line	1	
3980	Aug. 11	M.C.R	Niagara Falls, Simcoe st		1
3981	Aug. 29	C.P.R	London, Richmond st	1	
3982	July 26	G.T.R.	Stratford, Downie St		1
3984	Sept. 2	G.T.R.	Walkerville, Drullard St. crossing		1
3999	Sept. 14	G.T.R.	London, Richmond St		1
4060	Sept. 16	M.C.R.	Niagara, Eastwood crossing		2
4003	Sept. 25	G.T.R.	Westboro, Carling Ave	2	1
4008	Oct. 7	G.T.R.	Findley, crossing ½ mile east	1	
4014	Aug. 5	C.P.R.	Sintaluta, ½ mile east		1
4015	Sept. 16	Wabash	Stamford, Fowles Road crossing	3	
4017	Oct. 11	G.T.R	Malton, 2 miles east	1	
4020	Sept. 2	C.P.R.	Sudbury, Elm St		
4039	Sept. 22	C.P.R.	Newdale, crossing east station	1	
4041	Nov. 3	O. & N. Y.	Cambridge, Landry crossing M.P. 29	1	
4042	Oct. 27	G.T.R.	Port Colborne, Fraser St		1
4043	Oct. 12	G.T.R.	Allanburg, 1st crossing east		1
4056	Oct. 31	T.H. & B.	Brantford, Brant St		1

STATEMENT No 9.—Statement showing highway crossing accidents attended by personal injury investigated during year ending March 31, 1916—*Concluded.*

File.	Date.	Railway.	Place.	Killed.	Injured.
Inv.	1915.				
4057	Oct. 30	G-T R	Baden, 2nd crossing east		1
4060	Oct. 25	C.N.Q	Mile 1.26 from Aldred		1
4063	Oct. 12	C.P.R	Montreal, Papineau Road crossing	1	
4079	Oct. 27	C.N.R	Port Rouge yard, Pembia crossing		1
4090	Oct. 21	C.P.R	Redvers, town crossing		3
4091	Oct. 13	C.P.R	Hatton, 200 feet east	1	
4108	Nov. 8	C.P.R	Binscarth, crossing ¼ mile east		1
4109	Nov. 13	C.N.R	Strathcona, Bet. No., Sec. 11 and 14. Tp. 47, R. 29		1
4116	Dec. 1	C.N.R	Ashville, Sec. 23 and 24		1
4118	Dec. 1	G.T.R	St. Isidore, 1st crossing south		1
4121	Dec. 8	C.P.R	Alcove, crossing east of station		1
4122	Dec. 7	C.P.R	Chesterville, crossing west of station	1	
4136	Dec. 20	G.T.R	Montreal, St. Henri, St. Marguerite St. King		1
4143	Jan. 6	C.P.R	Kempton, Kemptville Road crossing	1	
4145	Jan. 7	C.P.R	Montreal, St. Laurent crossing	1	
4161	Dec. 13	C.P.R	Shoal Lake, crossing west of station		1
4189	Dec. 29	G.T.R	West Toronto, Weston Road		1
4195	Feb. 2	C.N.O	Oshawa, 2nd crossing east	1	3
4196	Jan. 8	G.T.R	Belleville, Canifton Road crossing	1	1
4215	Feb. 2	G.T.R	Iroquois, Wilson's public crossing		1
4217	Jan. 29	C.P.R	Tp. of Arthur, 1,700 ft. east M.P. 32		1
4218	Feb. 5	G.T.R	Montreal, Atwater Ave	1	
4223	Dec. 20	C.P.R	Chaplin, crossing west of station		1
4229	Feb. 15	C.N.O	Tetreauville, Désormeaux St. crossing	1	
4243	Feb. 24	G.T.R	Bronte, 1st public crossing west	1	
4244	Jan. 23	G.T.R	Strathroy, Caradoc St. crossing		1
4265	Feb. 22	C.P.R	Blyth, Queen St. crossing		1
4268	March 9	M.C.R	Niagara Falls, Erie St. crossing		1
4269	March 16	C.P.R	Hawkesbury West, Hawkesbury Road crossing		1
4270	March 6	C.N.Q	D'Argenteuil, Chatham Road crossing	1	
4272	Jan. 31	C.N.R	Kemsac, Sec. 25, Tp. 29, R. 32, W.P.M	1	1
4275	March 7	C.P.R	London, Third St. crossing		1
4278	March 10	C.P.R	Pembroke, Rankin St. crossing	1	
4280	Jan. 13	Wabash	Courtland, Talbot Road crossing	1	
4285	March 8	C.P.R	Toronto, Berkeley St. crossing		1
4303	Feb. 22	C.P.R	Herbert, 1 mile west	1	

NOTE—100 investigations covering 51 persons killed and 75 injured.

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STATEMENT No. 10.—Statement showing the number of highway crossing accidents with the total number of killed and injured by provinces and railways for the year ending March 31, 1916.

Name of Railway.	Ontario.	Quebec.	New Brunswick.	Nova Scotia.	Manitoba.	British Columbia.	Sask.	Alberta.	Total.	Killed.	Injured.
Canadian Pacific	16	6			3	1	5		31	12	20
Grand Trunk	31	9							40	17	28
Michigan Central	3								3		4
Canadian Northern	1				3		1	2	7	3	13
Toronto, Hamilton & Buffalo	3								3	4	3
Pere Marquette	1								1		1
Canadian Northern Quebec		3							3	2	1
Canadian Northern Ontario	1								1	1	
Central Vermont		1							1		1
Ottawa & New York	2								2	1	1
Wabash	2								2	4	1
London & Port Stanley	1								1	1	1
Total	61	19			6	1	6	2	95	45	74

STATEMENT No. 11.—Statement showing highway crossings at which protection provided, and nature of protection, during year ending March 31, 1916.

File No.	Order No.	Location of Crossing.	Railway.	Nature of Protection.
386	23433	Winnipeg, Portage Avenue, St. James	C.P.R.	Limitation of speed.
25459	23505	Toronto, Ont., Wilton Avenue and Dickens Ave	G.T.R.	Subway.
9437.1245	23511	Stevensville Station, crossing immediately west of	M.C.R.	Electric bell.
9437.1156	23549	Tweed, Ont., Victoria Street	C.P.R. & C.N.R.	Flagman and speed limitation.
9437.1261	23640	Brantford, Ont., Grey Street	G.T.R.	Prohibited from allowing cars to stand on side track west of main track at said crossing, closer than 150 feet from street line.
9437.1219	23679	Mile 1.26 from Ottawa, Metcalfe Road, Bank St	C.P.R.	Speed limitation.
9437.1213	22734	Winchester, Ont., St. Lawrence Street	C.P.R.	Electric bell.
9437.1165	23795	Ketopec, N.B., mileage 6 94	C.P.R.	Electric bell.
9437.1267	23821	Ottawa, Ont., Parkdale Ave	G.T.R.	Electric bell.
3701.286 & 9437.567	23823	Cobourg, Ontario, Ontario Street	G.T.R. and Campbellford, Lake Ontario & W.	Watchman, bet. 7 a.m. and 8 p.m.
9437.1222	23852	Brantford, Ontario, toll gate crossing	G.T.R.	Removal of trees.
9437.1273	23863	St. Armand Depot, Que., 1st public crossing north	C.V.R.	Speed limitation.
25046	23865	White Rock Station, crossing east of	G.N.R.	Electric bell.
9437.1263	23890	Edmonton, Alta., Ottawa Avenue	C.N. & G.T.P.Rys	Electric bells.
3701.44	23899	Highway between lots 8 and 9, concession 7, tp. Hamilton, united counties of Northumberland, Province of Ontario.	Campbellford, Lake Ontario & W.	Gates.
9437.1270	23965	Penetanguishene, Ont., Robert Street	G.T.R.	Electric bell.
9437.1244	24000	Bet. lot No. 1 on west side Yonge St., and lot No. 40, 3rd concession from the Bay, tp. of York, along Eglington Ave.	C.P.R.	Electric bell.
9437.1244	24000	Bet. lot No. 1, west side Yonge St., and lot No. 40, 3rd concession from the Bay, tp. of York; along Eglington Ave.	G.T.R.	Electric bell.
9437.963	24004	St. Thomas, Ont., Park St	M.C.R.	Electric bell.
9437.136	24014	Village of Buxton, crossing at centre side road, tp. Raleigh	M.C.R.	Electric bell.
9437.1269	24016	St. Phillippe Station, public highway west	C.P.R.	Electric bell.
5824	24029	Hamilton, Ont., intersection of Barton St. and Ferguson Ave	G.T.R.	Gates.
9437.1271	24045	Toronto, Symington Ave	C.P.R.	Gates.
9437.1262	24158	Nanaimo, B.C., crossing of Comox Road	E. & M.R.	Electric bell.
25652	24217	Tp. Oro, County Simcoe, crossing Ridge Road	G.T.R.	Removal of trees.
9437.279	24233	Winnipeg, Man., Talbot Ave	C.P.R.	Gates (hand-operated).
9437.1289	24235	Port Stanley, Warren St	London & Port Stanley Ry.	Electric bell.
9437.1252	24324	Village Mono Road, tp. Albion	C.P.R.	Electric bell.
9437.608	24328	Hamilton, Ont., intersection Main St. and Ferguson Ave	G.T.R.	Day and night watchman.
9437.1094	24343	Lorne Park Station, crossing immediately west of	G.T.R.	Gates.
9437.1301	24361	Nerepis Station, public crossing 950 feet west of	C.P.R.	Electric bell.
9437.1275	24412	New Westminster, B.C., Twelfth St	British Columbia Elec. Ry.	Electric bell.

9437.1286	24597	Thamesville, Ont., Chatham Road crossing	G.T.R.	Electric bell.
9437.1331	24633	Baden Station, Ont., second crossing east	G.T.R.	Electric bell.
9437.1325	24647	Allanburg Station, Ont., first crossing north	G.T.R.	Electric bell.
9437.914	24712	Chesterville, Ont., Main St	C.P.R.	Electric bell.
9437.1300	24723	Welsford Station, N.B., crossing west side of station	C.P.R.	Electric bell.
9437.1317	24754	Municipality of Tp. of Etobicoke, Ont., overhead crossing	G.T.R.	Electric bell.
9437.1322	24755	Burlington, Ont., vicinity of Brant Ave	G.T.R.	Electric bell.
9437.628	24762	Ancaster Road	T.H. & B.	Removal of hedge and embankment.

STATEMENT No. 12.—Statement showing the number of highway crossings at which protection has been ordered by the Board, and nature of protection, set out by provinces, for the year ending March 31, 1916.

Nature of Protection.	Nova Scotia.	New Brunswick.	Quebec.	Ontario.	Manitoba.	Saskatchewan.	Alberta.	British Columbia	Total.
Gates	....	....	.....	4	1	....	....	....	5
Electric Bell	....	2	1	16	..	..	2	4	25
Watchman	.....	....	....	2	....	....	..	..	2
Subway	.....	....	..	1	.....	.....	....	..	1
Diversion	....	....	....	.....	....	..	....	.....	.....
Limitation of speed	....	....	1	1	1	.....	...	...	3
Removal of buildings	....	...	.....	.....	...	.....	.....	....	
Train movements flagged	....	...	.....	....	..	..	....	...	
Tracks to be kept clear	..	...	....	1	....	.....	.....	....	1
Removal of tracks	..	.	..	..	..	..	.....	....	
Removal of banks and trees	....	.	....	3	....	....	..	..	3
Overhead bridge	....	....	....	.	.	.....	.....	.....	
Flagman and speed limitation	.	....	....	1	.	....	....	....	1
Total	...	2	2	29	2	....	2	4	41

STATEMENT No. 13 (*a*).—Statement showing number of persons killed and injured at public highway crossings, separately for each year for five years ending March 31, 1916.

Year.	Gates.		Bell.		Watchman.		Unprotected.		Total.	
	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.
1912	4	7	2	2	2	2	42	65	50	76
1913	6	6	4	5	....	3	29	48	39	62
1914	10	13	1	6	6	12	44	84	61	115
1915	6	10	2	7	2	5	37	68	47	90
1916	3	4	9	8	2	5	31	57	45	74
Totals	29	40	18	28	12	27	183	322	242	417

STATEMENT No. 13 (*b*).—Statement showing number of accidents at highway crossings, classified for five years ending March 31, 1916.

	Crossing protected by gates.	Crossing protected by watchman.	Crossing protseted by bell.	Crossing unprotected.	Total.
Automobile	5	5	5	38	53
Horse and rig	12	11	21	259	303
Pedestrian	47	13	10	98	168
Total	64	29	36	395	524

NOTE.—The total of 524 accidents covers 242 persons killed and 417 persons injured as referred to in the preceding statement.

STATEMENT No. 14.—Statement showing the number of Trespassers Killed and Injured by Provinces and Railways for the Year ending March 31, 1916.

Name of Railway.	Ontario.		Quebec.		British Columbia.		Alberta.		Saskatchewan.		Manitoba.		New Brunswick.		Nova Scotia.		Total.	
	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.	K.	I.
Grand Trunk	38	27	19	11													57	38
Canadian Pacific	16	18	11	4	4	4	8	2	7	5	5	3	1				52	36
Canadian Northern	5	1					1	2	1	5							7	8
Toronto, Hamilton & Buffalo	1	1															1	1
Michigan Central	6	5															6	5
Père Marquette	1																1	
Grand Trunk Pacific									1								1	
Canadian Northern Quebec			3	4													3	1
Quebec & Lake St. John				1														1
St. Lawrence and Adirondack				1														1
Quebec, Montreal & Southern				1														1
Algoma Central & Hudson Bay		1																1
Canadian Northern Ontario	3																3	
Quebec Oriental				1														1
Niagara, St. Catharines & Toronto	2																2	
Ottawa & New York	1																1	
Morrissey, Fernie & Michel						1												1
Halifax & Southwestern																1		1
Wabash	4																4	
Vancouver, Victoria & Eastern						2												2
Dominion Atlantic															3		3	
Esquimault & Nanaimo					1	1											1	1
Maine Central			1														1	
Total	77	53	34	23	5	8	9	4	9	10	5	3	1		3	1	143	102

STATEMENT No. 15.—Statement showing the number of persons killed and injured on the various railways under the jurisdiction of the board from February 1st, 1904, until March 31, 1916, classified under three headings and shown separately for each and every year.

Year.	Passengers.		Employees.		Others.		Total.	
	K.	I.	K.	I.	K.	I.	K.	I.
1905	73	38	168	92	161	14	402	144
1906	76	43	126	163	179	17	381	223
1907	42	210	212	317	206	76	460	603
1908	64	326	246	806	219	177	529	1,309
1909	26	327	191	769	231	205	448	1,201
1910	51	211	194	745	211	167	456	1,123
1911	24	132	263	788	207	199	494	1,119
1912	28	292	230	1,381	231	238	489	1,911
1913	21	410	303	1,603	1,319	218	643	2,231
1914	31	339	249	1,250	314	310	594	1,899
1915	8	239	99	873	230	251	337	1,363
1916	17	140	120	788	200	197	337	1,125
Total	461	2,607	2,401	9,575	2,708	2,069	5,570	14,251

STATEMENT No. 16.—Statement showing the number of persons killed and injured in the more prominent accidents on the various railways under the jurisdiction of the Board, shown separately for each year for the five years ending March 31, 1916.

Nature of Accident.	1912.		1913.		1914.		1915.		1916.		Total.	
	K.	I	K.	I.	K.	I.	K.	I.	K.	I	K.	I.
Derailment	45	221	19	317	39	257	7	82	6	55	116	932
Collision head-on	8	58	26	108	7	29	2	46	4	5	47	246
Collision rear-end	13	31	16	90	14	23	7	49	11	76	61	269
Collision in yard	*	*	8	51	18	55	3	54	26	31	55	191
Collision with cars, foul main track	5	7	2	1	....	8	....	2	1	...	8	18
Collision with cars, open switch	2	39	...	15	5	17	....	4	...	3	7	78
Collision at level crossing	2	4	....	....	1	39	2	22	....	1	5	66
Highway crossing, protected	13	26	10	14	17	31	10	12	14	17	64	110
Highway crossing, unprotected	56	53	29	48	44	84	37	68	31	57	177	310
Adjusting couplers, etc	11	63	29	92	11	60	7	38	5	39	63	292
Trespassing	162	122	251	116	238	164	170	126	143	102	964	630
Hand car, motor, struck by train	13	10	16	16	10	13	5	9	5	3	49	51
Struck by switch stand, etc	2	22	1	21	4	21	1	8	2	6	10	78
Caught between cars and buildings	...	13	7	9	4	7	...	9	2	8	13	46
Falling off passenger train	7	15	10	13	6	17	3	11	1	12	27	68
Falling off car walking over train	2	29	10	43	4	41	4	22	5	22	25	157
Falling between cars walking over train	2	3	2	7	2	5	2	3	...	3	8	21
Getting off train in motion	8	43	12	53	7	55	3	45	11	38	41	234
Attempt to board train in motion	4	26	16	40	8	47	2	29	8	22	38	164
Run down by engine or cars	*	*	55	64	56	64	33	41	27	42	171	211
Locomotive dropped crown sheet	1	3	1	10	2	4	....	3	...	....	4	20
Total	336	788	520	1128	497	1041	298	693	302	542	1953	4192

NOTE.—*Heading not in existence.

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STATEMENT No. 17.—Statement showing number of cars inspected for year ending March 31, 1916, together with defects noted.

Name of Railway.	Cars inspected.	Cars defective.	Per cent defective.	Grand total defects.	Couplers and parts.	Per cent defective.	Uncoupling mechanism.	Per cent defective.	Hand-holds.	Per cent defective.	Air brakes.	Per cent defective.
Canadian Pacific	42,394	2,562	6·04	2,828	54	1·90	322	11·05	181	6·40	1,762	62·30
Grand Trunk	17,275	713	4·12	800	16	2·00	85	10·62	47	5·87	512	64·00
Canadian Northern	5,783	532	9·19	613	19	3·09	73	11·90	25	4·07	375	61·17
Canadian Northern, Quebec	1,685	92	5·45	100	3	3·00	12	12·00	6	6·00	64	64·00
Grand Trunk Pacific	4,973	370	7·44	382	4	1·04	35	9·16	24	6·28	212	55·49
Père Marquette	1,080	51	4·72	56	...	...	...	...	...	...	46	82·14
Toronto, Hamilton & Buffalo	446	18	4·03	21	...	...	4	19·04	1	4·76	11	52·38
Boston & Maine	307	13	4·24	15	...	...	1	6·66	...	...	10	66·66
Morrissey, Fernie & Michel	128	21	16·40	35	...	...	1	2·85	12	34·28	19	54·28
Michigan Central	2,750	84	3·05	97	2	2·06	8	8·24	2	2·06	76	78·35
Dominion Atlantic	215	18	8·37	22	1	4·54	1	4·54	13	59·09	6	27·27
Great Northern	95	6	6·31	6	...	...	...	...	...	...	2	33·33
Victoria & Sydney	10	1	10·00	2	...	...	...	...	1	50·00	1	50·00
Halifax & Southwestern	210	36	17·14	49	1	2·04	5	10·20	19	38·77	22	44·89
Temiscouata	140	24	17·14	25	...	...	4	16·00	9	36·00	9	36·00
	77,491	4,541	5·86	5,051	100	1·97	551	10·96	340	6·73	3,127	61·90

STATEMENT No. 17.—Statement showing number of cars inspected for year ending March 31, 1916, together with defects noted.—*Concluded.*

Name of Railway.	Ladders.	Per cent defective.	Sill Steps.	Per cent defective.	Height of Coupler.	Per cent defective.	Miscellaneous.	Per cent defective.
Canadian Pacific	76	2·33	143	5·09	1	0·03	289	10·21
Grand Trunk	21	8·62	18	2·25	1	0·12	100	12·50
Canadian Northern	19	3·09	25	4·07	...	...	77	12·56
Canadian Northern Quebec	11	11·00	1	1·00	1	1·00	2	2·00
Grand Trunk Pacific	18	4·71	16	4·18	...	...	73	19·10
Pere Marquette	1	1·78	...	...	1	1·78	8	14·28
Toronto, Hamilton and Buffalo	2	9·52	2	9·52	...	...	1	4·76
Boston and Maine	2	13·33	...	...	...	...	2	13·33
Morrissey, Fernie and Michel	1	2·85	2	5·71	...	...	...	
Michigan Central	...	...	1	1·03	...	...	8	8·24
Dominion Atlantic	...	...	1	4·54	...	...	...	
Great Northern	...	...	...	...	...	...	4	66·66
Victoria and Sydney	...	...	...	...	...	...	...	
Halifax and Southwestern	...	...	2	4·08	...	...	...	
Temiscouata	...	...	2	8·00	...	...	1	4·00
	151	2·98	213	4·22	4	0·07	565	11·18

STATEMENT No. 18.—Statement showing defective safety appliances on freight cars as reported by the inspectors for the year ending March 31, 1916.

Couplers and parts—	
Coupler body broken	3
Coupler body worn	
Guard arm short	
Knuckle broken	2
Knuckle worn	
Knuckle missing	4
Knuckle pin broken	3
Knuckle pin wrong	
Knuckle pin bent	
Knuckle pin missing	4
Lock block broken	50
Lock block worn	
Lock block wrong	
Lock block bent	
Lock block inoperative	
Lock block missing	34
Lock block key missing	
Lock block trigger missing	
Total	100
Uncoupling Mechanism—	
Uncoupling lever broken	181
Uncoupling lever wrong	
Uncoupling lever bent	41
Uncoupling lever incorrectly applied	8
Uncoupling lever missing	89
Uncoupling chain broken	188
Uncoupling chain too long	2
Uncoupling chain too short	12
Uncoupling chain kinked	2
Uncoupling chain missing	23
End casting broken	
End casting wrong	
End casting bent	
End casting loose	
End casting incorrectly applied	
End casting missing	
Keeper broken	
Keeper wrong	
Keeper bent	
Keeper loose	2
Keeper incorrectly applied	
Keeper missing	1
Angle clip loose	2
Total	551
Handholds—	
Handhold broken	15
Handhold bent	88
Handhold loose	15
Handhold incorrectly applied	11
Handhold missing	211
Total	340
Height of Couplers—	
Coupler too high	
Coupler too low	3
Carrier iron loose	1
Total	4
Ladders—	
Ladder round broken	21
Ladder round bent	77
Ladder round loose	33
Ladder round missing	15
Ladder loose	4
Ladder incorrectly applied	1
Total	151
Sill steps—	
Sill step broken	8
Sill step bent	149
Sill step loose	24
Sill step incorrectly applied	14
Sill step missing	18
	213
Air Brakes—	
Triple valve defective	
Triple valve missing	
Reservoir defective	
Reservoir loose	
Cylinder defective	41
Cylinder loose	309
Cylinder and triple valve not cleaned within 12 months	535
Cylinder and triple valve not stencilled with date of cleaning	10
Cut out cock defective	60
Release cock defective	6
Release cock missing	
Release rod broken	101
Release rod missing	94
Angle cock defective	146
Angle cock missing	32
Train pipe broken	27
Train pipe loose	49
Train pipe bracket missing	10
Cross-over pipe defective	2
Hose defective	75
Hose missing	107
Hose gasket missing	1
Retaining valve defective	10
Retaining valve missing	1
Retaining pipe defective	195
Retaining pipe missing	9
Brake rigging defective	1
Brake cut out	1177
Brake cut out; card old	94
No brake of any kind	35
Pump missing	
Total	3127
Miscellaneous Total	565
Grand Total	5051

STATEMENT No. 19 (*a*).—Comparative statement of defects on freight cars between the four years ending March 31, 1916.

—	1913.	1914.	1915.	1916.	Total.
Couplers and parts	493	336	166	100	1,095
Uncoupling mechanism	2,632	1,606	886	551	5,675
Handholds	560	241	182	340	1,323
Air brakes	7,946	5,935	4,181	3,127	21,189
Ladders	801	647	417	151	2,016
Sill steps	613	485	301	213	1,612
Height of couplers	31	21	.....	4	56
Miscellaneous	1,110	1,511	876	565	4,062
Grand total	14,186	10,782	7,009	5,051	37,028

STATEMENT No. 19 (*b*).—Comparative statement of cars inspected and defective as between the four years ending March 31, 1916.

—	1913.	1914.	1915.	1916.	Total.
Cars inspected	137,054	110,407	105,486	77,491	430,438
Cars defective	13,110	9,989	6,578	4,541	34,218
Percentage defective	9·56	9·05	6·24	5·86	*7·94

* Average.

APPENDIX "G."

PERMANENT STAFF OF THE BOARD OF RAILWAY COMMISSIONERS FOR CANADA FOR THE YEAR ENDING MARCH 31, 1916.

TRAFFIC DEPARTMENT.

Name.	Position.	Date of Order in Council.	Salary.
			$
Hardwell, J.	Chief Traffic Officer	June 22, 1904.	5,000
Brown, G. A.	Chief Clerk, Traffic Dept.	Oct. 3, 1904.	2,350
McManus, C. E.	Clerk, Traffic Dept.	Aug. 20, 1904.	1,400
Routhier, C. C.	"	Aug. 14, 1906.	1,400
Lalonde, F.	"	May 6, 1907.	1,200
Allen, J. S.	"	May 6, 1907.	1,200
Messinger, H. W.	"	July 8, 1904.	1,150
Usher, J. R.	"	May 6, 1907.	1,100
Wainwright, W. R. G.	"	April 27, 1909.	1,100
Harvey, R.	"	Oct. 6, 1911.	950
	(To take effect	June 12, 1911).	
Brethour, L. L.	Clerk, Traffic Dept.	Dec. 2, 1911.	950
	(To take effect	June 5, 1911).	
Drum, A. B.	Clerk, Traffic Dept	Feb. 6, 1913.	900
	(To take effect	Feb. 1, 1913).	
Lovell, Thos.	Clerk, Traffic Dept.	April 19, 1915.	900

ENGINEERING DEPARTMENT.

Mountain, G. A.	Chief Engineer	June 30, 1904.	5,000
Simmons, T. L.	Asst. Chief Engineer.	Oct. 3, 1904.	3,100
Drury, H. A. K.	1st Asst. Engineer.	June 25, 1906.	[1] 3,300
Belanger, A. A.	2nd Asst. Engineer.	May 28, 1910.	3,000
Kerr, A. T.	3rd Asst. Engineer.	Aug. 1, 1911.	[1] 3,100
Murphy, J.	Electrical Engineer	May 15, 1906.	[2]
Foulds, J. R.	Clerk, Engineer's Dept.	Aug. 14, 1906.	1,150
Wadsworth, E. W.	"	Sept. 12, 1912.	900
	(To take effect	Sept. 1, 1911).	
Barber, Miss E. A. H.	Stenographer.	May 8, 1907.	[4] 950
McDonald, Miss N.	"	Oct. 14, 1910.	800
	(To take effect	June 17, 1910).	
Bliss, Miss M.	Stenographer.	May 29, 1911.	[4] 950
	(To take effect	April 1, 1911).	

[1] Includes living allowance of $300 during residence in West.
[2] Salary pay by Railways and Canals Department.
[4] Includes living allowance of $150 during residence in West.

RECORD DEPARTMENT.

Jamieson, W. A.	Chief Clerk	Aug. 14, 1906.	1,150
Langelier, D.	Clerk, Record Dept.	Aug. 20, 1904.	1,100
Martin, J. E.	"	May 6, 1907.	1,100
Demers, F. R.	Statistical Clerk, Records.	Aug. 31, 1906.	1,050
Chambers, D. H.	Clerk, Record Room.	June 29, 1910.	1,050
Lyon, N. B.	"	May 11, 1911.	1,000
	[To take effect	Jan. 1, 1911).	
Carruthers, J. P.	Clerk, Record Room.	Sept. 12, 1912.	950
	(To take effect.	Oct. 1, 1911).	
Edwards, F. A.	Clerk, Record Room	Oct. 19, 1912.	900
	(To take effect.	July 1, 1912).	
Lajoie, V.	Clerk, Record Room	Dec. 10, 1912.	900
	(To take effect	July 1, 1912).	

SESSIONAL PAPER No. 20c

SECRETARY'S DEPARTMENT.

Name.	Position.	Date of Order in Council.	Salary.
			$
Richardson, R.	Asst. Secretary	April 12, 1905..	2,500
Ecclestone, A. E.	Chief Clerk, Secy's. Dept	Aug. 14, 1906..	1,600
Thomson, J. W.	Chief Proof Clerk, Secy's. Dept.	Sept. 1, 1904..	1,400
Arbick, J. B.	Clerk, Secy's. Dept.	May 2, 1905..	1,100
	(To take effect	Dec. 23, 1904)..	
Larocque, A.	Clerk, Secy's. Dept.	Dec. 31, 1908..	1,050
Hollington, P. L.	"	Oct. 19, 1912..	900
	(To take effect	Sept. 1, 1912)..	
Timmins, J.	Clerk, Secy's. Dept	Feb. 6, 1913..	900
	(To take effect	Sept. 1, 1912)..	
Latour, T. D.	Mailing Clerk	Dec. 31, 1907..	900
Bourgault, L.	Clerk, Secy's. Dept.	Dec. 8, 1913..	850
	(To take effect	Sept. 1, 1913)..	
Gamble, Miss C. L.	Stenographer	July 19, 1912..	700
	(To take effect	June 1, 1912)..	
MacGuire, Miss E.	Stenographer	July 27, 1912..	700
	(To take effect	July 1, 1912)..	
Hardy, Miss J.	Stenographer	Sept. 24, 1913..	700
	(To take effect	April 1, 1913)..	
Parish, Miss P.	Stenographer	Nov. 21, 1913..	700
	(To take effect	April 1, 1913)..	

ASSISTANT SECRETARY'S DEPARTMENT.

Primeau, E. A.	Asst Secy. for French correspondence, etc.	May 7, 1904..	3,000
Lapointe, A.	Accountant.	May 6, 1907..	1,250
Casey, T. H.	Clerk, Asst. Secy's Dept.	Aug. 28, 1909..	1,000
	(To take effect	Aug. 9, 1909)..	
Turcot, Miss A. M.	Stenographer	May 29, 1911..	800
	(To take effect	April 1, 1911)..	

OPERATING DEPARTMENT.

Spencer, Geo.	Chief Oprg. Officer	Sept. 24, 1913..	3,600
	(To take effect	Sept. 1, 1913)..	
Lalonde, E. C.	Inspector, Oprg. Dept.	Aug. 20, 1901..	2,300
Ogilvie, J.	Mechanical Expert	Mar. 4, 1907..	2,300
McCaul, M. J.	Inspector, Oprg. Dept.	May 6, 1907..	[1]2,300
Clark, J.	" "	May 6, 1907..	2,000
Blyth, W. S.	" "	May 6, 1907..	2,000
Hudson, A. E.	" "	May 3, 1912..	[1]2,200
Gillett, L. D.	" "	May 3, 1912..	1,900
Gardiner, J.	" "	May 3, 1912..	[1]2,200
Harris, T.	" "	May 3, 1912..	1,900
Shinnick, J. H.	" "	Dec. 31, 1909.	[1]2,150
Poulin, A.	" "	July 28, 1911..	[3]1,300
	(To take effect	July 1, 1911)..	
Robertson, D.	Inspector, Oprg. Dept.	Nov. 6, 1915..	1,200
Ward, H. H.	Chief Clerk, Oprg. Dept.	Feb. 11, 1911..	1,550
Nelson, E. E.	Clerk and Stenographer, Oprg. Dept.	April 7, 1914..	950
	(To take effect	Mar. 1, 1914)..	
Britton, T. G.	Clerk, Oprg. Dept.	May 6, 1907..	1,100
Dunsmore, T. E.	Clerk and Stenographer, Oprg. Dept.	Oct. 14, 1912..	1,000
	(To take effect	May 6, 1912)..	
Parker, C. M.	Clerk and Stenographer, Oprg. Dept.	Oct. 14, 1912 .	900
	(To take effect	Aug. 1, 1912)..	
Beggs, D. A.	Clerk, Oprg. Dept.	Nov. 27, 1913..	900
	(To take effect	April 1, 1913)..	
O'Connor, Miss G. M.	Stenographer	Dec. 31, 1908..	800
Seroggie, Miss M. H.	"	Jan. 25, 1913..	[6]700
	(To take effect	Oct. 1, 1912)..	

[1] Includes living allowance of $300 during residence in West.
[3] Died August 29,1915.
[6] Resigned September 30,1915.

FIRE INSPECTION DEPARTMENT.

Name.	Position.	Date of Order in Council.	Salary.
			$
Leavitt, C.	Chief Fire Inspector	Feb. 22, 1913.	[5]800
	(To take effect	Jan. 1, 1913).	
Johnson, H. C.	Fire Inspector	Feb. 6, 1913.	1,950
	(To take effect	Mar. 1, 1913).	
White, R. J.	Chief Clerk and Stenog., Fire Insp. Dept.	June 29, 1910.	1,000
LAW DEPARTMENT.			
Blair, A. G.	Law Clerk	Aug. 20, 1904.	3,300
Larose, Miss R.	Stenographer and Librarian	May 2, 1905.	1,000
Fligg, Miss C. L.	Stenographer	May 29, 1912.	800
	(To take effect	April 1, 1912).	
CHIEF COMMISSIONER.			
Chapman, C. M. B.	Private Secretary to Chief Commissioner	April 11, 1907.	1,200
	Reappointed	Sept. 24, 1913.	
	(To take effect	Sept. 1, 1913).	
Lewis, Miss L. J.	Clerk and Stenographer	May 7, 1914.	1,000
LIBRARIAN.			
Mills, James	Librarian and Supervising Officer	July 10, 1914.	3,600
	(To take effect	Feb. 1, 1914).	
Ross, Miss M. G.	Stenographer	Sept. 11, 1909.	1,000
STENOGRAPHERS.			
Cameron, Miss E. M.	Clerk and Sten. to Commissioner McLean	Aug. 20, 1904.	1,000
Casey, Miss N.	" " to Asst. Chief Commissioner	Dec. 31, 1908.	1,000
	(To take effect	Nov. 1, 1908).	
Vaughan, Miss M.	Clerk and Sten. to Commissioner Goodeeve	May 11, 1911.	900
	(To take effect	Feb. 1, 1911).	
Murphy, Mrs. L.	Clerk and Sten. to Deputy Chief Commiss'r	Jan. 25, 1913.	700
	(To take effect	July 1, 1912).	
MESSENGERS.			
Graham, F. D.	Messenger	Oct. 19, 1912.	800
	(To take effect	Sept. 1, 1912).	
Barbeau, E. S.	Messenger	Sept. 11, 1909.	700
Downes, Wm.	Messenger	Oct. 19, 1912.	700
	(To take effect	Sept. 1, 1912).	
Wallace, A. J.	Messenger	Oct. 19, 1912.	700
	(To take effect	Sept. 1, 1912).	
CAR "ACADIA".			
Pile, Wm.	Cook on Official Car		$90 per m.
REPORTING STAFF.			
Butcher, N. R.	Reporting Contract.	April 14, 1908.	4,800

[5] The salary of Mr. Leavitt is $3,800 per annum; difference paid by the Conservation Commission.

APPENDIX "H."

OTTAWA, May 16, 1916.

A. D. CARTWRIGHT, Esq.,
Secretary, Board of Railway Commissioners,
Ottawa, Ont.

SIR,—Herewith I beg to submit the annual report of the Fire Inspection Department for the year ending March 31, 1916, for the Eleventh Annual Report of the Board.

ORGANIZATION.

The plan of co-operation inaugurated in previous years with the Dominion and provincial fire protective organizations has been successfully continued. The number of officials of the various fire protective organizations acting as officers of the Board during 1915 was 73, as follows:—

Dominion Forestry Branch, nine men.
Dominion Parks Branch, five men.
British Columbia Forest Branch, thirty men.
Department of Agriculture of Alberta, three men.
Fire Commissioner's Office, Saskatchewan, one man.
Department of Lands, Forests and Mines, Ontario, thirteen men.
Department of Lands and Forests, Quebec, ten men.
Crown Lands Department, New Brunswick, two men.

It has not, as yet, been found practicable to arrange for co-operation in Manitoba and Nova Scotia.

RAILWAY FIRE PATROLS.

The general features of the patrol plans adopted in 1912, 1913 and 1914 have been continued, requiring the establishment and maintenance of special fire patrols in forest sections. Minor modifications have been made, as the need has developed. The policy established in 1912 has been consistently followed, of relieving the companies from the necessity of maintaining special patrols, when weather conditions permitted. The general supervision over this patrol work has constituted an important feature of the duties of the local officers of this department, the object being to secure maximum efficiency in fire protection at a minimum of cost to the companies.

Letters prescribing special patrols were issued to the following railway companies: Algoma Central and Hudson Bay, Canadian Northern (Western Lines), Canadian Northern Ontario, Canadian Northern Quebec and Quebec and Lake St. John, Canadian Pacific (Western Lines), Canadian Pacific (Eastern Lines), Edmonton, Dunvegan and British Columbia, Esquimalt and Nanaimo, Grand Trunk, Grand Trunk Pacific, Great Northern, Kettle Valley, Temiscouata, Victoria and Sidney, Western Canada Power Company.

The patrol letters issued to the above companies called for 64 special power speeder patrols, and 89 special velocipede patrols, covering 3,672 miles of railway line through forested sections; also, 23 special patrols by bridge watchmen on velocipedes, 20 special patrols on foot, and 2 special patrols on horseback, covering 499 miles; total

covered by special patrols, 4,171 miles. In addition to the above, patrol work was performed by the regular track forces on 3,385 miles, making a total of 7,556 miles of line in forest sections covered by special and section patrols. The average length of patrol beats was 33 miles for power speeder patrols and 18 miles per man on velocipede.

INSTRUCTIONS TO RAILWAY EMPLOYEES.

A circular letter dated March 2, 1915, was sent out to all companies *re* issuance of special instructions to employees regarding fire protection. The companies duly issued and posted these instructions and in some cases printed them in the employees working time tables; they were generally well observed by the employees.

REPORTING OF FIRES BY RAILWAYS.

Reports called for under Circular 133 were duly submitted throughout the fire season by the railway companies concerned.

Circular No. 147 was issued January 26, 1916, proposing to revise Circular No. 133 to extend the requirements to cover the submission of reports as to all fires occurring within 300 feet of the track, regardless of size, with the exception of fires purposely set by railway employees, and which do not escape from the right of way. It was also proposed that complete information be not required, as to fires which originate more than 300 feet from the track and burn into the right of way. Objection was taken by the three larger railway companies to being required to report incipient fires, the companies claiming the extra clerical work involved, and change in existing instructions to employees in submitting such reports would be excessive and an added burden upon the already existing requirements they are called upon to carry out. It was therefore decided to drop the proposed revision of Circular No. 133 for the present, and Circular No. 148 dated March 24 was issued advising railway companies to that effect, at the same time requesting the co-operation of all the railways affected by Circular No. 133, in reporting such information as may be available relative to fires occurring within 300 feet of the track not required by Circular No. 133.

FIRE STATISTICS.

The fire season of 1915 was very dry and hazardous in certain districts, notably on the Pacific coast, and in the southern interior and Fort George districts of British Columbia, also in the northern portions of the prairie provinces. Throughout the balance of the Dominion, however, the season was not an extremely bad one, owing to the large amount of rainfall, particularly in Ontario and western Quebec. With the exception of a short hazardous dry period during May and June, there was very little fire danger in Quebec. The late and wet spring in the Maritime provinces considerably reduced the danger in that portion of the Dominion. The weather conditions, taken in connection with the perfecting of railway fire protective organizations, materially reduced the number of fires, area burned over, and amount of damage done. The removal from rights of way of inflammable material and the education of railway employees with regard to fire protection have no doubt had much to do with the better showing made in 1915.

A total of 686 fires in forest sections is reported as having originated within 300 feet of the lines of railways subject to the Board's jurisdiction in 1915. Of these 43·4 per cent are definitely attributed to railway agencies, 27·8 per cent to known causes other than railways, and 28·8 per cent to unknown causes. Of the total area burned over, amounting to about 37,263 acres, 33·1 per cent is chargeable against the railways,

20·9 per cent to known causes other than railways, and 46 per cent to unknown causes. The total damage done is estimated at $74,256. Of this, the railways are definitely charged with only 11·2 per cent, while 24·2 per cent of the damage is due to known causes other than railways, and 64·6 per cent to unknown causes. We thus have the railways, exclusive of Government lines and a few having provincial charters, directly charged with less than half of the total number of fires reported as having originated within 300 feet of the track; these burned over less than one-third of the total area reported, and did only one-tenth of the total estimated damage. This showing is distinctly favourable to the railways, especially when it is considered that this 10 per cent of damage totals less than $8,400. These figures show that the railways have been remarkably efficient in extinguishing their own fires, as well as those due to outside causes.

Of all fires reported, the causes are as follows: locomotives, 33·9 per cent; railway employees, 9·5 per cent; tramps, etc., 11·4 per cent; settlers, 12·5 per cent; other known causes, 3·9 per cent; unknown causes 28·8 per cent. It will thus be seen that the carelessness of tramps and settlers constitutes a very serious source of fire danger along railways, these two elements combined accounting for nearly one-fourth of the total number of fires reported.

Through an oversight, the fire statistics for 1914 were omitted in the published tenth annual report of the Board, and are therefore included herewith.

RIGHT-OF-WAY CLEARING.

The progress made in the disposal of inflammable material on rights-of-way, under section 297 of the Railway Act, has, for the most part, been reasonably satisfactory, though, in some cases, much-needed work has been deferred, due to financial conditions resulting from the war. This work has received a great deal of attention on the part of the local officers of the Board, supplemented in Quebec, New Brunswick and Nova Scotia, by special inspections by H. C. Johnson, fire inspector, from the head office.

The Grand Trunk Railway have continued the work of cleaning up their right-of-way through Algonquin Park and in the Parry Sound and Muskoka districts. The co-operative arrangement between this company and the province for the cleaning up of the right of way and a protective belt adjacent thereto in Algonquin Park is still in effect, and has resulted in a remarkable improvement in the conditions.

Co-operative arrangements were also made between the Canadian Northern Railway and J. R. Booth for the cleaning up of the right-of-way, and a protective belt adjacent to the right-of-way on certain portions of the line between North Bay and Pembroke. There is still much to be desired in right-of-way cleaning by the Canadian Northern in Ontario.

In the west the Dominion Parks Branch materially reduced the fire hazard along certain portions of the right-of-way of the Canadian Pacific Railway in the Rocky Mountain Park, by removing all inflammable debris and underbush on a protective belt immediately adjacent to the right of way, this work being done by interned alien enemies.

Railway companies are constantly making complaints, and in some cases citing specific cases of their efforts in the direction of fire protection being nullified by the presence of dangerous fire hazards immediately adjacent to their rights-of-way. These hazards exist on Crown and private lands and the efforts of the railway companies under the regulations of the Board can never be more than partly effective, so long as the lands adjoining rights of way are allowed to constitute the worst kind of fire traps.

SUMMARY of Reports on Fires in forest sections originating within 300 feet of track Season of 1914.

Number.		Canadian Pacific (Western Lines).	Canadian Northern System (Western Lines).	Grand Trunk Pacific.	Great Northern	Kettle Valley.
1	Total number of fires originating within 300 feet of track.	317	168	126	116	17
2	Number of railway fires by causes—					
	(a) Locomotive (sparks and ashpans)	223	67	61	110	4
	(b) Carelessness or negligence of railway employees.	4	23	11		3
	(c) Steam shovels, donkey engines, etc		2	2	1	
3	Number of other than railway fires by causes—					
	(a) Tramps, other travellers and camp fires	37	8	20	1	3
	(b) Settlers (clearing, etc.)	4	19	17	1	1
	(c) Other known causes		5		1	1
4	Number of fires of which cause is unknown	49	44	15	2	5
5	Acres burned over by fires originating within 300 feet of track—					
	(a) Grass or cultivated land	1,821	4,742	82	1,741	12
	(b) Young forest growth	4,261	11,923	2,682	30	75
	(c) Timber land	726	11,044	181	14,156	55
	(d) Slashing or old burn not restocking	6,027	3,123	5,323	497	116
	(e) Total area (a plus b plus c plus d)	12,835	30,832	8,268	16,424	258
6	Value of property destroyed, classified by causes—					
	(a) Locomotives	$120,795	$3,168	$629	$ 16,500	
	(b) Carelessness or negligence of railway employees.		1,941			10
	(c) Steam shovels, donkey engines, etc		8,800			
7	Value of property destroyed, classified as follows:—					
	(a) Young growth	2,472	21,114	3,342	2	60
	(b) Standing timber	1,017	89,392	215	16,650	280
	(c) Forest products in process of manufacture	113,230	25,000	498	150	
	(d) Railway property not covered in above	509	5,161	700		
	(e) Other private property not covered in above	5,920	1,829	60	776	
	(f) Total of above	$123,139	$142,496	$4,815	$17,578	$340

* Includes Canadian Northern Ontario, Central Ontario, Irondale, Bancroft and Ottawa, Canadian Northern Quebec, Quebec and Lake St. John and Halifax and South Western Railways. Above statistics do not include that portion of Canadian Northern Ontario Railway lines between Pembroke and Capreol, and between Ruel and Port Arthur, under construction.

** This column includes statistics for the Boston and Maine, Maine Central, Elgin and Havelock, Western Canada Power and White Pass and Yukon route.

on Railway lines subject to the jurisdiction of the Board of Railway Commissioners for Canada,

Edmonton, Dunvegan and British Columbia.	Canadian Pacific (Eastern Lines).	Canadian Northern System (Eastern Lines).*	Grand Trunk System.	Algoma Central and Hudson Bay and Algoma Eastern.	Dominion Atlantic.	Miscellaneous.**	Totals.	Number.	
250	206	80	27	8	10	21	1,346	1	
200	87	32	15	1	4	18	822	2	(a)
....	22	11	3	.....	.. . .	.....	77		(b)
. . . .	....	. .. .. .	.. ...	..... .	.. ..	.....	5		(c)
50	12	3	.....	2	.. . .	1	137	3	(a)
....	17	3	.....	.....	... .	....	62		(b)
. .. .	5	.....	3	1	.. ..	.....	16		(c)
... .	63	31	6	4	6	2	227	4	
1,020	1,807	252	36	....	8	8	11,529	5	(a)
2,100	2,114	1,387	24,637	....	....	117	49,326		(b)
7,421	4,412	1,295	68,205	1	.. ..	.....	107,496		(c)
1	3,543	4,235	182	340	31	1	23,419		(d)
10,542	11,876	7,169	93,060	341	39	126	191,770		(e)
$81,000	$5,000	$16,489	$92,746	$5	$5	$117	$336,454	6	(a)
.. ..	5,550	544	40	..... .	....	.....	8,085		(b)
....	.....	... .	... .	.. ..	....	....	8,800		(c)
29,400	2,423	703	.....	.....	.....	108	59,624	7	(a)
59,368	19,859	16,205	....	1	....	.....	202,987		(b)
13,400	.....	.....	200	....	... .	... .	152,478		(c)
150	552	65	1,230	....	.....	44	8,402		(d)
... ...	1,050	216	.....	.....	....	100	9,951		(e)
$102,318	$23,884	$17,189	$1,430	$1	.. ..	$252	433,442		(f)

SUMMARY of Reports of Fires in Forest Sections originating within 300 feet of track on Railway Lines, subject to the jurisdiction of the Board of Railway Commissioners for Canada, Season 1915.

BY RAILWAYS.

—	Canadian Pacific. * (West. Lines.)	Canadian Northern. (West. Lines.)	Grand Trunk Pacific.	Great Northern. **	Kettle Valley.	Edmonton, Dunvegan & B.C.	Canadian Pacific. (East. Lines.)	Canadian Northern. (East. Lines.)	Grand Trunk System.	Algoma Central & H.B.	Dominion Atlantic.	Miscellaneous. ***	Totals.
A.—RAILWAY FIRES.													
1. Number, by causes:—													
(a) Locomotives	33	23	30	33	8	14	34	36	9	1		11	232
(b) Employees	4	6	5	3	1		23	12	1	1	4	5	65
(c) Total	37	29	35	36	9	14	57	48	10	2	4	16	297
2. Areas burned:—													
(a) Young forest growth (acres)		15	45			17	857	121	2,113			29	3,197
(b) Timber land	1	42	3		1		8	3	5			29	92
(c) Slash or old burn	31	17	704	444	45	400	341	191	80	626		13	2,899
(d) Other classes of land	11	736	17	133	1	5,120	82	23	4		3	38	6,168
(e) Total	43	810	769	577	45	5,537	1,288	338	2,202	626	3	109	12,347
3. Value of property destroyed:—	$	$	$	$	$	$	$	$	$	$	$	$	$
(a) Young forest growth		45	45			51	200	48	837			10	1,236
(b) Standing timber		210	17		15				10			87	339
(c) Slash							150						150
(d) Other classes of land									63		40	23	126
(e) Forest products		6					411	1,589	74			2	2,082
(f) Other property	166	1,443		519	110	4	676	794	610			91	4,413
(g) Total	166	1,704	62	519	125	55	1,437	2,431	1,594		40	213	8,346
B.—KNOWN CAUSES OTHER THAN RAILWAY FIRES.													
1. Number due to:—													
(a) Tramps, campers, etc.	14	22	19		6	8	5	2		2			78
(b) Settlers	12	21	8			2	27	13				3	86
(c) Other known causes	13		4	2			4	4					27
(d) Total	39	43	31	2	6	10	36	19		2		3	191

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B.—Known Causes Other Than Railway Fires—*Concluded.*													
2. Areas burned:—													
(a) Young forest growth (acres)	26	2,320	84	.....	7	15	53	1,280	.....	.....	.....	75	3,860
(b) Timberland	1	7	2	.....	.....	.....	53	425	.....	.....	.....	.....	488
(c) Slash or old burn	81	149	144	.....	10	.....	169	1,206	.....	1	.....	.....	1,760
(d) Other classes of land	3	1,434	35	2	1	1	10	206	.....	.....	.....	8	1,700
(e) Total	111	3,910	265	2	18	16	285	3,117	.....	1	.....	83	7,808
3. Value of property destroyed:—	$	$	$	$	$	$	$	$	$	$	$	$	$
(a) Young forest growth	210	6,960	133	.....	16	45	100	500	.....	.....	.....	64	8,028
(b) Standing timber	15	37	23	.....	.....	.....	106	5,700	.....	.....	.....	.....	5,881
(c) Slash	.....	.....	.....	.....	.....	.....	45	.....	.....	.....	.....	.....	45
(d) Other classes of land	.....	.....	.....	.....	.....	.....	15	200	.....	.....	.....	.....	215
(e) Forest products	14	.....	1,915	.....	.....	1	.....	.....	.....	.....	.....	.....	1,930
(f) Other property	.....	600	220	.....	.....	.....	1,015	8	.....	.....	.....	.....	1,843
(g) Total	239	7,597	2,291	.....	16	46	1,281	6,408	.....	.....	.....	64	17,942
C.—Fires of Unknown Origin.													
1. Total number reported	34	59	11	3	.....	5	41	29	8	1	3	4	198
2. Areas burned:—													
(a) Young forest growth (acres)	145	160	.....	25	.....	.....	323	282	152	.....	25	35	1,147
(b) Timber land	300	705	10	.....	.....	.....	50	1,500	.....	.....	15	.....	2,580
(c) Slash or old burn	5,253	25	4	.....	.....	.....	1,121	1,112	30	300	40	6	7,891
(d) Other classes of land	209	4,487	515	1	.....	1	88	1	5	.....	183	.....	5,490
(e) Total	5,907	5,377	529	26	.....	1	1,582	2,895	187	300	263	41	17,108
Value of property destroyed—	$	$	$	$	$	$	$	$	$	$	$	$	$
(a) Young forest growth	1,162	481	.....	200	.....	.....	587	22	267	.....	.....	16	2,735
(b) Standing timber	9,000	3,525	160	.....	.....	.....	300	12,002	.....	.....	21	.....	25,008
(c) Slash	.....	.....	.....	.....	.....	.....	15	.....	.....	.....	.....	.....	15
(d) Other classes of land	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	100	.....	100
(e) Forest products	.....	.....	.....	140	.....	.....	5,015	200	2,490	.....	2	.....	7,847
(f) Other property	390	453	.....	.....	.....	2	8,240	2,303	25	850	.....	.....	12,263
(g) Total	10,552	4,459	160	340	.....	2	1,4157	14,527	2,782	850	123	16	47,968

SUMMARY of Reports of Fires in Forest Sections originating within 300 feet of track on Railway Lines, subject to the jurisdiction of the Board of Railway Commissioners for Canada, Season 1915—*Concluded.*

	Canadian Pacific.* (W. L.)	Canadian Northern. (W. L.)	Grand Trunk Pacific.	Great Northern.**	Kettle Valley.	Edmonton, Dunvegan & B.C.	Canadian Pacific. (E. L.)	Canadian Northern. (E. L.)	Grand Trunk System.	Algoma Central & H. B.	Dominion Atlantic.	Miscellaneous.***	Totals.
D.—GRAND TOTAL.													
1. Total number of fires	110	131	77	41	15	29	134	96	18	5	7	23	686
2. Areas burned:—													
(a) Young forest growth (acres)	171	2,495	129	25	7	32	1,233	1,683	2,265		25	139	8,204
(b) Timber land	302	754	15		1		111	1,928	5		15	29	3,160
(c) Slash or old burn	5,365	191	852	444	55	100	1,631	2,509	110	927	40	19	12,541
(d) Other classes of land	223	6,657	567	136	2	5,122	180	230	9		186	46	13,358
(e) Total	6,061	10,097	1,563	605	63	5,554	3,155	6,350	2,389	927	266	233	37,263
3. Value of property destroyed:—	$	$	$	$	$	$	$	$	$	$	$	$	$
(a) Young forest growth	1,372	7,486	178	200	16	96	887	570	1,104			90	11,999
(b) Standing timber	9,015	3,772	200		15		406	17,792	10		21	87	31,228
(c) Slash							210						210
(d) Other classes of land							15	200	63		140	23	441
(e) Forest products	14	6	1,915	146		1	5,126	1,789	2,564		2	2	11,859
(f) Other property	556	2,496	220	519	110	6	9,931	3,105	635	850		91	18,519
(g) Total	10,957	13,760	2,513	859	141	103	16,875	23,366	4,376	850	163	293	74,256

* Includes Esquimalt and Nanaimo. ** Includes Victoria and Sydney. *** Includes the following lines:—Cumberland Railway and Coal Company; Quebec, Montreal and Southern; Boston and Maine; Maine Central; Elgin and Havelock; St. Martin's; Quebec Oriental; Atlantic, Quebec and Western; White Pass and Yukon.

NOTE.—No fires were reported during 1915 as originating within 300 feet of the track, along the Temiscouata; Salisbury and Albert; Moncton and Buctouche; Ottawa and New York; Western Canada Power; and Algoma Eastern Railways.

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TABLE showing number and percentage of fires by causes for years 1914 and 1915.

Causes.	1914.		1915.		Decrease.	Increase.
	Number.	Per cent.	Number.	Per cent.	Per cent.	Per cent.
Locomotives	822	61·0	232	33·9	27·1	
Employees	77	5·7	65	9·5		3·8
Other mechanical causes	5	·4			None reported in 1915.	
Tramps and campers	137	10·2	78	11·4		1·2
Settlers	62	4·6	86	12·5		7·9
Other known causes	16	1·2	27	3·9		2·7
Unknown	227	16·9	198	28·8		11·9
Totals	1,346	100·0	686	100·0	49% less fires in 1915.	

The Provincial Government of Quebec have amended the statutes respecting the protection of forests against fire, so that holders of licenses to cut timber on Crown Lands adjacent to railway rights of way are required to remove the inflammable debris on a strip of one hundred feet in width adjoining the right of way. The extension of such requirements to privately-owned lands, and to other provinces, would materially reduce the railway fire hazard throughout the Dominion.

FIRE-PROTECTIVE APPLIANCES ON LOCOMOTIVES.

During the past season, officers of the Fire Inspection Department inspected the fire-protective appliances on some 850 locomotives, reports for which were referred to the Operating Department. One complaint, made against the Edmonton, Dunvegan and British Columbia Railway Company, was received regarding the dangerous condition of a certain locomotive, and resulted in the issuance of Order No. 23,722, dated May 19, 1915, removing this engine from service until put in a proper condition for safe operation.

LOCOMOTIVE FUEL.

During the summer of 1915, the Grand Trunk Pacific Railway completed the inauguration of equipment for the exclusive use of oil as locomotive fuel between Jasper, Alta., and Prince Rupert, B.C., a distance of 718 miles. The use of oil fuel has been continued on 477 miles of the Canadian Pacific, 134 miles of the Esquimalt and Nanaimo, and 115 miles of the Great Northern. Thus, the total oil-burning mileage in Canada is 1,444 miles, of which 1,426 miles are in British Columbia and 18 miles in Alberta. In only one case has there been found specific reason to suppose that a fire was caused by an oil-burning engine, and even in this case the showing was not final. It is, however, known that in some cases in the United States fires have been caused by oil-burning engines, due usually to infrequent or improper sanding of the flues. The fact remains, however, that the use of oil fuel removes a very large percentage of the danger of railway fires.

In every case, the use of oil as locomotive fuel in Canada has been purely voluntary with the railways concerned.

During the past year 22 samples of coal were taken and submitted to the Fire Inspection Department by Dominion Forestry Branch officials appointed officers of the Board. Several of these samples were in turn submitted for analysis to the Fuel Testing Branch of the Department of Mines, in connection with Regulation 7 of General Order No. 107, forbidding the use of lignite as locomotive fuel.

FIRE GUARD REQUIREMENTS.

The fire guard requirements for 1915 were for the most part identical with those prescribed for 1914. The principal new feature was the introduction of a fourth classification under the term "Section (B) Cultivated Hay Lands." This was considered necessary, on account of the very general objection by land owners to having railway employees enter upon lands sown or planted to tame grasses such as timothy, brome, clover, alfalfa, etc. In such lands, the danger of fire is generally less than in the case of fenced grazing lands or wild lands. It was accordingly provided that the construction of fire guards in cultivated hay lands should be on the same basis as had previously been provided for grain stubble lands, namely, when the landowner considers that the construction of a fire guard is necessary in such land, he is to take the initiative and plough a four-foot guard at a distance of approximately 200 feet from the main track for a remuneration of $1.75 per lineal mile of fire guard, such amount to be paid by the company within 40 days after the submission by the landowner or occupant of written statement of account, it being understood that the minimum amount to be paid in any case shall be one dollar. This provision has apparently been generally acceptable to both the railway companies and the farming interests.

Fire guard requirements were issued to the Canadian Pacific, Canadian Northern, Grand Trunk Pacific, Great Northern, and Edmonton, Dunvegan and British Columbia railways. As previously, the provisions were made applicable to lines in the prairie provinces.

FIRE GUARD STATISTICS.

The following summary shows the mileage of fire guards constructed or maintained by railways under the Board's jurisdiction in the three prairie provinces during 1915, also the miles of fire guards not constructed due to causes specified. It will be seen that there were 13,445·76 miles of track subject to the Board's fire guard requirements, in the three provinces affected. Since construction of fire guards is required on both sides of the track, this represents 26,887·52 fire guard miles, of which 12,819·5 miles were constructed or maintained, and 14,068·02 miles not constructed.

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SUMMARY of Fire Guard Construction and Maintenance by Railways in the Provinces of Alberta, Saskatchewan and Manitoba, 1915.

—	E. D. & B. C.	Great Northern.	Grand Trunk Pacific.	Canadian Northern.	Canadian Pacific.	Totals.
Length in track miles	26·50	162·38	(6)2,052·00	4,853·33	6,349·55	13,443·76
Length in fire guard miles (1)	53·00	324·76	4,104·00	9,706·66	12,699·10	26,887·52
Fire guards constructed, (shown in fire guard miles.)						
A. Grain stubble lands, fire guarded by owner	6·00	237·00	259·90	1,079·00	3,165·65	4,747·55
B. Cultivated hay lands, fire guarded by owner	0·85	.....	1·80	175·00	9·80	187·45
C. Fenced grazing lands	1·60	19·00	421·40	341·25	1,228·70	2,011·95
D. Wild lands	1·90	·50	1,097·80	1,556·05	3,216·30	5,872·55
Total miles of fire guards constructed.	10·35	256·50	1,780·90	3,151·30	7,620·45	12,819·50
Fire guards not constructed (shown in fire guard miles.)						
Exemptions (2)	16·95	53·76	1,303·70	3,310·36	2,591·75	7,276·52
Owner refuses to allow construction (3)	5·30	1·75	5·30	46·05	11·28	69·68
Unnecessary; land already ploughed (4)	2·75	2·50	181·30	406·25	756·60	1,349·10
A. Grain stubble lands, not fire guarded by owner (5)	·30	.....	753·80	1,247·25	1,103·30	3,109·65
B. Cultivated hay lands, not fire guarded by owner (5)	2·35	.....	19·30	188·05	55·88	265·58
Miscellaneous other reasons	15·00	10·25	54·70	1,357·40	559·84	1,997·19
Total miles of fire guards not constructed	42·65	68·26	2,323·10	6,555·36	5,078·65	14,068·02

(1) Fire guard mileage is double the track mileage since the construction of fire guards is required on both sides of the track.

(2) Company exempted from fire guard construction as to portions of line where showing made that such construction is unnecessary or impracticable.

(3) Employees of railway company refused permission, by owner, to enter upon land for purpose of constructing fire guards.

(4) Fire guarding unnecessary, because field already ploughed.

(5) Fire guarding in grain stubble and in cultivated hay lands required only where the landowner or occupant would undertake to plough guard at the reasonable price specified by the Board.

(6) Decrease from total mileage indicated in report for 1914 is accounted for by transfer of line between Winnipeg and Ontario boundary from Grand Trunk Pacific Railway to Government Railways management.

Complaints re *Fire Guards.*

During 1915 the following specific complaints were received:—

Damage by fire: Canadian Pacific, 1; Canadian Northern, 6; Edmonton, Dunvegan and British Columbia, 1; total 8. Of these, two complaints were received from Alberta and six from Saskatchewan. The complainant was advised in each case that the Board has no jurisdiction in connection with damage claims.

Failure to plough or maintain guards, or ploughing unsatisfactory: Canadian Pacific, 4; Canadian Northern, 1; Grand Trunk Pacific, 3; total, 8. Of these, one complaint was received from Alberta, and seven from Saskatchewan.

Damage to land and crop by ploughing: Canadian Pacific, 1, in the province of Saskatchewan.

Report by railway company that owner refuses to permit ploughing of guards: Canadian Pacific, 3; Canadian Northern, 1; Grand Trunk Pacific, 1; Great Northern, 1; total 6. Of these, two complaints were received from Alberta, one from Saskatchewan and three from Manitoba. In two of these cases, orders were issued by the

Board, granting the Canadian Pacific Railway Company authority to enter upon land to plough guards. In the balance of the cases an adjustment was reached, after investigation, which rendered unnecessary the issuance of an order.

Report of railway company that owner refuses to permit burning off of grass between fire guard and right of way; Grand Trunk Pacific, 1, in the province of Saskatchewan.

In all, there were received a total of 24 specific complaints.

Respectfully submitted,

CLYDE LEAVITT,
Chief Fire Inspector, B.R.C.

APPENDIX "I."

List of Books in Library up to March 31, 1916.

Abbott—Electrical Transmission of Energy.
Abbott—Railway Law of Canada.
Abbott on Telephony.
Ackworth—Elements of Railway Economics.
Actes du Canada et des Provinces non abrogés par les Statuts Revisés, 1887.
Acts of the Provinces and of Canada not Repealed by the Revised Statutes, 1887.
Act to Regulate Commerce.
Adams—Railroad Accidents.
Adams—The Block System.
Alabama Railroad Commission Reports.
Alberta Law Reports.
Allen's Telegraph Cases.
American Electrical Cases.
American and English Annotated Cases, Digest.
American and English Encyclopedia of Law.
American and English Railroad Cases, Old and New Series, Digest.
American Railway Association Proceedings.
American Railway Reports.
American Reports, Digest.
Anderson's Dictionary of Law.
Anderson's Index-Digest of Interstate Commerce Laws.
Arizona Corporation Commission Reports.
Armstrong's Digest of Nova Scotia Reports.
Ashe—Electric Railways.
Audette—Practice of the Exchequer Court.
Auditor General's Reports.

Baldwin—American Railroad Law.
Barnes—Interstate Transportation.
Bartholomew—Air Brakes for Electric Cars.
Beach—Law of Railways.
Beach—Monopolies and Industrial Trusts.
Beach Railway Digest (Annual).
Beal—Bailments.
Beal—Cardinal Rules of Legal Interpretation.
Beal and Wyman—Railroad Rate Regulation.
Beauchamp—Jurisprudence of the Privy Council.
Beaudry-Lacantinerie—Droit Civil.
Beavan and Wolford—Railway Cases.
Bell and Dunn.
Belsterling—Digest of Decisions—Transit Privileges.
Beullac—Code de Procédure Civile.
Bigg—General Railway Acts.
Biggar—Municipal Manual.
Bird—Digest British Columbia Case Law.
Blakemore—Abolition of Grade Crossings in Massachusetts.
Bligh—Ontario Law Index to 1900.
Bligh and Todd—Dominion Law Index, 1898.
Both—Street Railways.
Boulton—The Law and Practice of a Case Stated.
Bouvier's Law Dictionary.
Boyle and Waghorn—The Law and Practice of Compensation.
Boyle and Waghorn—The Law Relating to Railway and Canal Traffic
Brandeis—Scientific Management.
Brassey, Lord—Fifty Years of Progress and the New Fiscal Policy.
Brice—Tramways and Light Railways.
Brice—Ultra Vires.
British Columbia Reports, 20 Vols.
British Columbia Statutes, 1872-1915. Revised Statutes, 1897 and 1911 Consolidated Statutes, 1877.
British Columbia Year Book.
British Ruling Cases.
Brockway—Electric Railway Accounting.
Broom's Legal Maxims.
Browne—The Law of Compensation.

Browne—Practice Before the Railway Commissioners.
Brown, Macnamara and Neville—English Railway and Canal Traffic Cases, 15 Vols.
Browne and Theobald—Law of Railways.
Bullinger—Postal and Shipper's Guide for the United States and Canada, 1912-1915.
Butterworth—Practice of the Railway and Canal Commission.
Butterworth—Railways and Canals.
Byer—Economics of Railway Operation.

California Board of Public Utilities Annual Reports, 1910-1912
California—Report of the Railroad Commission, 1908-1914.
Calvert—Regulation of Commerce.
Campbell—Forest Fires and Railways.
Cameron—Supreme Court Practice and Rules, 1913.
Canada Law Journal, 51 Vols.
Canada Legal Directory, 1914.
Canada and Newfoundland Gazetteer.
Canada Year Book.
Canadian Annual Digest, 1896-1914.
Canadian Law Review, 1906-1914.
Canadian Case Law Digest, 1901-1915.
Canadian Law Times, Vols. 28-35.
Canadian Reports, Appeal Cases, Vols. 1-5; 1906-1912.
Canadian Ten-Year Digest, 1901-1911.
Car Builders' Dictionary, 1906-1912.
Carmichael—Law of the Telegraph, Telephone and Submarine Cable.
Carter—When Railroads were new.
Cartwright—British North America Cases.
Cartwright—Canadian Law List, 1906-1915.
Casson, Ellis and Hutchinson, Jr.—Horse, Truck and Tractor.
Century Dictionary and Cyclopedia.
Chandler—The Express Service and Rates.
Chambers—Parliamentary Guide, 1909.
Charter of the City of Montreal, with Amendments.
Chitty's Archibold's Q. B. Practice.
Chitty's K. B. Forms.
Clapp—The Navigable Rhine.
Clarke and Others—The American Railway.
Clarke—Street Accident Law.
Clarke—State Railroad Commissions.
Clark—Studies in History, Economics and Public Law. Standards of Reasonableness in Local Freight Discriminations.
Clements—Canadian Constitution.
Clements—Federal Supervision of Railroads.
Cleveland and Powell—Railroad Finance.
Cleveland and Powell—Railroad Promotion and Capitalization.
Clifton and Grunaux—A New Dictionary of the French and English Languages.
Clifton and Grunaux—Technological Dictionary, English, German, French.
Clode—Rating of Railways.
Colorado Public Utilities Commission Reports, 1913-1915.
Colson—Abrégé de la Législation des Chemins de fer et Tramways.
Columbia Public Utilities Commission Reports, 1913-14.
Commission Telephone Cases.
Congdon—Digest Nova Scotia Reports.
Connecticut—Report of the Public Utilities Commission, 1912.
Connecticut—Reports of Railroads, 1910.
Connors—Report of the Working of American Railways.
Constantineau—On the De Facto Doctrine.
Cook and Townsend—Transportation.
Cooley—The American Railway—Its Construction, Development, Management, and Appliances.
Cooley on Taxation.
Copnall—A Practical Guide to the Administration of Highway Law.
Cowles—A General Freight and Passenger Post.
Coutlee—Digest Supreme Court Reports.
Criminal Code, 1892 and 1900.
Croswell—The Law Relating to Electricity.
Curran—Freight Rate. Studies in Rate Construction.
Currier—Railway Legislation of the Dominion of Canada, 1867-1905.
Cyclopedia of Law and Procedure, 40 Vols. Annotations, 1907-1914.

Dagger—Telephone Systems. The Ontario Telephone Act.
Daggett—Railroad Reorganization.
Daily Freight Register, 1911-1913.
Dale and Lehmann—English Overruled Cases.
Daniell—Chancery Forms.
Darlington—Railway Rates.

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Daviel—Des Cours d'Eau.
Denis and White—Water-Powers (Commission of Conservation).
Denton—Municipal Negligence (Highways).
Desbarats—Newspaper Directory, 1914.
Dewsnup—Railway Organization and Working.
Dictionary of Altitudes in Canada.
Directory of Railway Officials.
Disney—Carriage by Railway.
Dixon and Parmalee—Bureau of Railway Economics. The Arguments for and against Train Crew Legislation.
Dodd—Law of Light Railways.
Doherty—Liability of Railroads to State Employees.
Dorsey—English and American Railroads Compared.
Douglas—The Influence of the Railroads of the United States and Canada on the Mineral Industry.
Douglas—Development of the Railroads of North America and their Control by the State.
Droege—Freight Terminals and Trains.
Duff—Merchants Bank and Railroad Book-keeping.
Dunn—American Transportation Question.

Eaton—Handbook of Railroad Expenses.
Eaton—Railroad Operations—How to Know them.
Eddy on Combinations.
Edwards—Railway Nationalization.
Electric Train Staff Catalogue—Union Switch and Signal Co., Swissvale, Pa.
Elliott—The Individual, The Corporation and the Government.
Elliott—Minnesota. The Railways and Advertising.
Elliott on Railroads.
Elliott on Roads and Streets.
Encyclopedia Britannica.
Encyclopedia of the Laws of England, 15 Vols. Annual Supplements, 1910-1914
Endlich on Statutes.
English Law Reports to 1915. Digest, 1901-1915.
English Reports (reprints), 154 Vols.
English Ruling Cases, 26 Vols. Supplement, Vol. 27.
Exchequer Court Reports, 14 Vols.
Ewart—Digest Manitoba Law Reports.
Express Companies—Judgment of the Board.
Express Statistics of the Dominion of Canada, 1912.

Farnham—Waters and Water Rights.
Frye—Civil Engineers' Pocket Book.
Fry—Specific Performance.
Fuzier-Herman—Code Civil, 4 Vols. Supplement, 2 Vols.
Fuzier-Herman—Répertoire du Droit Français, 37 Vols.
Fetter—Carriers of Passengers.
Finch—Federal Anti-Trust Divisions.
Florida—Annual Reports of the Railroad Commission, 1913-1915.
Floy—Valuation of Public Utility Properties.
Forney—Catechism of the Locomotive.
Foster—Engineering Valuation of Public Utilities and Factories.

Gear and Williams—Electric Central Station Distributing Systems.
Georgia—Reports Railroad Commission, 1905-1910.
Gephart—Transportation and Industrial Development in the Middle West.
Gilbert—Street Railway Reports.
Gillette—Hand Book of Cost Data.
Glen on Highways.
Goodeve—Railway Passengers.
Gould on Waters.
Gray—Communication by Telegraph.
Greene on Highways.
Grierson—Railway Rates English and Foreign.
Guernsey—Effect of the War on Public Utilities.

Hadley—Railway Transportation.
Hadley—Railway Working and Appliances.
Haines—American Railway Management.
Haines—Railway Corporations as Public Servants.
Haines—Restrictive Railway Legislation.
Hamilton—Railroad Laws of New York, 1906-7.
Hamilton—Railway and other Accidents.
Hamlin—Interstate Commerce Acts Indexed and Digested.
Hammond—Railway Rate Theories of the Interstate Commerce Commission.
Hardcastle—Statute Law.
Hay, Jr.—The Law of Railway Accidents in Massachusetts.

Hayes—Public Utilities, Their Cost New and Depreciation.
Hemmeon—History of the British Post Office.
Henderson—Ditches and Water Courses.
Henderson—Locomotive Operation.
Hendrick—Railway Control by Commissions.
High on Injunctions.
Hitt—Electric Railway Dictionary, 1911.
Hodges on Railways.
Hodgins—Dominion and Provincial Legislation.
Holmested and Langton—Ontario Judicature Act.
Holmested and Langton—Forms and Precedents.
Holt—Canadian Railway Law.
Hopkins—The Law of Personal Injuries.
Hough—Ocean Traffic and Trade.
Hudson—Compensation.
Hutchinson's Carriers.
Hutchinson on Carriers.

Idaho Public Utilities Commission Reports, 1913-1915.
Illinois Railroad and Warehouse Commission Reports, 1902-1906.
Illinois Railroad and Warehouse Commission Annual Reports, 1889-1913.
Illinois State Public Utilities Commission Report, 1914.
Index of Cases Reported in the English Law Reports, 1905-15.
Index to Interstate Commerce Commission Cases in the Federal Courts, 1887-1914. Division of Indices.
Index to Law Times Report.
Index to Quebec Official Reports.
Indiana Railroad Commission Report, 1910.
Interstate Commerce Commission—Division of Statistics. A preliminary Abstract of Statistics of Common Carriers, 1914.
Interstate Commerce Commission Reports, 33 Vols. Annual Reports to 1913.
Interstate Commerce Commission—Express Rates, Practices, and Accounts.
Ivatts—Railway Management.

Jackman—Freight Rates and Classifications—Express Service. Carriage by Water (Interstate Commerce).
Jacobs—Railway Law of Canada.
Jevons—The State in Relation to Labour.
Johnson—Ocean and Inland Water Transportation.
Johnson and Huebner—Railroad Traffic and Rates.
Jones—Fur Farming—Commission of Conservation.
Jones—Telegraph and Telephone Companies.
Joyce—Electric Law.
Judson—Interstate Commerce.

Kansas Public Utilities Commission Reports, 1911-1912.
Kent—Index to Cases Judicially Noticed in the Law Reports (English).
Keasebey—Electric Wires.
Kent—Digest of Decisions under the Federal Safety Appliance and Hours of Service Acts, 1915.
Kerr—Injunctions.
Kirkman—The Science of Railways.
Knoop—Principles and Methods of Municipal Trading.

Lafleur—Conflict of Laws.
Lake—Report Major-General Sir P. H. N. Lake.
Langelier—Cours de Droit Civil.
Langelier—De la Preuve.
Langstroth—De la Preuve.
Langstroth and Stilz—Railway Co-operation.
Larombiere.
Latimer—Railway Signalling in Theory and Practice.
Laurent—Droit Civil.
Law Times Reports, 112 Vols. General Index, Vols. 91 to 100.
Lefroy's Legislative Power in Canada.
Legal News.
Leggett—Bills of Lading.
Lewis—American Railroad and Corporation Reports.
Lewis—Eminent Domain.
Lewis—Railway Signal Engineering.
Lewis' Sutherland—Statutory Construction.
Littré et Beaujeu—Dictionnaire de la Langue Française, avec un Supplément d'Histoire et de Géographie.
Los Angeles Public Utilities Board Reports, 1913-1915.
Louisiana—Railroad Commission Annual Reports.
Lovell's Compendium.

Lovell's Gazetteer of the Dominion of Canada.
Lovell's Table of Routes.
Lower Canada Jurists.
Lower Canada Reports.
Lust and Merriam—Digest of Decisions under The Interstate Commerce Act.
Lyon—Capitalization. A Book on Corporation Finance.

MacBeth—The Rationale of Rates.
MacMillan Gutches—Forest Products of Canada, 1908.
MacMurchy and Dennison—Canadian Railway Cases.
McMurchy and Dennison—Railway Law of Canada.
Macnamara—Law of Carriers.
Maine—Commissioner of Highways Reports.
Maine Public Utilities' Commission Reports.
Manitoba Law Reports.
Manitoba Public Utilities' Commission Reports.
Manitoba Statutes.
Mann—Massachusetts Railroad and Railway Laws, 1908.
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APPENDIX "J."

THE BOARD OF RAILWAY COMMISSIONERS FOR CANADA.

RECORD ROOM.

STATEMENT showing applications made to the Board under the various Sections of the Railway Act, for the fiscal year ending March 31, 1916.

Sections of Railway Act.	1915.									1916.			Totals.
	April.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	
Rescinding of Orders, Sec. 29	5	2	7	8	1	5	2	4	1	5	1	2	43
Rules and Regulations, Secs. 30, 269, 307, 13	1					1							2
Extension of time, Sec. 50				1					1			2	4
Location of line, Secs. 157, 168	5	1	2										8
Route Map, Sec. 157		1	1			1							3
Correction of Plans, Sec. 162			1										1
Railway as constructed, Sec. 161	2	3	4	1		3	1	2	3	1	1	1	22
Deviation of line, Sec. 167	5	4	8	5	4	2	4	1		3		1	37
Mines and Minerals, Secs. 169, 171		1	1					1	1				4
Expropriation of lands, Secs. 172, 191	2	2	1	1	2	2	1	1		3		2	17
Appeals from decision of Board	1					1			2				4
Compensation for damage, Secs. 192, 214	1		4									1	6
Branch Lines, Sec. 221, 226	16	17	16	11	9	20	17	20	18	17	26	9	196
Railway Crossings and Junctions, Secs. 227, 229	6	2	5	2	6	6	1	4	4	2	1	2	41
Interlocking appliances, Sec. 227	2	1	3	3	4	2	3	2	3				23
Highway Crossings, Secs. 235, 243	28	8	30	21	10	24	19	17	13	5	15	18	208
Highway Diversions, Sec. 237	7	1	2	5	1	4	3	10		3	3	8	47
Protection at Crossings, Sec. 243	9	2	3	2	1	4	5	11	5	5	3	3	53
Telegraph and Telephone Lines, Sec. 244						1			2	1	1		5
Telegraph and Telephone Connections, 245	1			1	1		1	3		2		1	10
Telegraph Wire Crossings, Sec. 246		1											1
Telephone Wire Crossings, Sec. 246		1		2		2				1	1		7
Power Wire Crossings, Sec. 246	16	4	4	3	3	2	4	1					37
Telephone Agreements, Sec. 248	6	3	9	6	9	7	12	8	13	5	4	2	84
Canals, Ditches, etc., Sec. 249	1					3							2
Water Pipes, Sec. 250	1						1			1			3
Sewers, Sec. 250	4	2	5	4	7	1	1	1	2				27
Culverts, Sec. 250				1			2	2	1		1		7
Farm Crossings, Secs. 252, 253	1	4	2		2	1	1			1	1	2	15

APPENDIX "J"—*Concluded.*

THE BOARD OF RAILWAY COMMISSIONERS FOR CANADA—*Concluded.*

RECORD ROOM—*Concluded.*

STATEMENT showing applications made to the Board under the various Sections of the Railway Act, for the fiscal year ending March 31, 1916—*Concluded.*

Sections of Railway Act.	1915.									1916.			Totals.
	April.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	
Protection at Farm Crossings	1	2			1								4
Cattlegnards, Secs. 254, 255	1							2	1				4
Fencing of Right-of-way, Sec. 254	3	5	2			3	1				2	4	20
Constructions on Nav. Waters, Sec. 233				1					1			1	3
Bridges, Secs. 256, 257	7	3	18	3	7	3	7	7	4	5	3	2	69
Tunnels, Secs. 256, 257	2					2				1		1	6
Stations, Sec. 258	5	12	3	3	3	4	4	1	2	3	1	4	45
Condition of Stations, Sec. 258					1	2	1						4
Station Accommodation and Agents	1		10	4	10	12	6	5	7	7	7	8	78
Opening of Railway, Sec. 261	1	3	2	2	25	4	7	7	1	1		1	54
Condition of Railway, Sec. 262	4	1	2	1		6	3	7	3	1	4	2	34
Rolling Stock, Sec. 264, 268		1	1	1				2			1		7
Train Service	1	2	3	2	2			5	2	2	2	4	25
Working of Trains, Sec. 269							1		1	3	3		8
Obstruction to Traffic, Sec. 279				3	1	1	1			1	3	21	31
Accommodation for Traffic, 284	2	3	4	3		5	3	2	2	1	1	6	32
Accident Reports, Sec. 292	25	14	28	26	10	16	17	20	30	9	20	13	228
Thistles and Weeds, Sec. 296				1			1						2
Fires from Locomotives, Secs. 297, 298			4			2							6
By-Laws, *re* Tolls, Sec. 314	1	1				4			1		1	1	9
Discrimination Facilities, Sec. 317			1					1					2
Interswitching, Secs. 317, 334			1	1	5	2	1	2	3	2	3	2	22
Freight Classification, Sec. 331	2				1		2	1	1	5			12
Forms of Tariffs, Sec. 322, 339										1			1
Disallowance of Tariffs, Sec. 323		1	1	2			1	2		1	2	2	12
Standard Freight Tariffs, Sec. 327	3		3			2				1			9
Standard Passenger Tariffs, Sec. 331			1		1	1	2		1				6
Local Passenger Tariffs		1				1				1			3
Adjustment in Rates		1	1		2		1			1	1		7
Special Tariffs, Secs. 329, 332			1	5	1			1	1	1	2	1	13
Joint Tariffs, Sec. 335			2								2		4

Provisions for Carriage, Sec. 340		1			1					1	1	2	6
Express Tolls, Sec. 348, 354	4			1				1		1			7
Carriage by Express, Sec. 352				1	2		1	1	2			2	9
Telephone Tolls, Sec. 355, 360											1		1
Amalgamation Agreements, Sec. 361, 363				1		1	2		1	1			6
Traffic Agreement, Sec. 364		1											1
Enquiries	20	27	21	9	17	5	2	2	5			3	111
Requests	8	7	9	4	2			2					32
Complaints	87	87	51	65	68	65	82	81	84	64	79	54	867
Miscellaneous	8	3	10	4	5	4	8		5	6	5	6	64
General Orders of the Board	4				1	4	1	4		2	5	1	22
Totals	310	236	287	220	226	239	233	245	227	178	207	195	2,803

Ottawa, April 27, 1916.

F. R. DEMERS.
Statistical Clerk Records.

APPENDIX "K."

THE BOARD OF RAILWAY COMMISSIONERS FOR CANADA.

RECORD ROOM.

List of cases appealed to the Supreme Court of Canada, February 1, 1904, to March 31, 1916.

File No. 1114.—Montreal Terminal Railway *v.* Montreal Street Railway, Pius IX avenue crossing. Appeal from Order of Deputy Chief Commissioner and Commissioner Mills on question of jurisdiction. Appeal allowed.

File No. 1492.—James Bay Railway *v.* Grand Trunk Railway crossing belt line spur. Appeal on question of law. Appeal dismissed.

File No. 383.—Canada Atlantic Railway, Ottawa Electric Railway and City of Ottawa, *re* Bank street subway. Appeal of the Ottawa Electric Railway on question of law. Appeal dismissed.

File No. 588.—*Re* Toronto Union Station. A. R. Williams expropriation. Appeal to Supreme Court and then to Privy Council, England, on question of jurisdiction. Appeal dismissed.

File No. 1604. Case No. 1309.—Robinson *v.* Grand Trunk Railway, two-cent rate, Appeal to the Supreme Court and then to the Privy Council, on question of law. Appeal dismissed.

File No. 689.—Canadian Pacific Railway Company *v.* Grand Trunk Railway *re* branch line, London, Ont. Appeal on question of jurisdiction. Appeal dismissed.

File No. 1680.—Essex Terminal and W. E. and L. S. Railroad crossing, township of Sandwich. Appeal by the Essex Terminal Railway on question of law. Appeal dismissed.

File No. 1497.—T. D. Robinson and Canadian Northern Railway spur at Winnipeg. Appeal by the Canadian Northern Railway Company on question of jurisdiction. Appeal dismissed.

File No. 9527.—Montreal Street Railway *re* rates Mount Royal ward. Appeal by the Montreal Street Railway Company on question of jurisdiction. Appeal allowed.

Case No. 4719.—*Re* Agriculture Department, province of Ontario, and Grand Trunk Railway Company station at Vineland. Appeal by the railway company on question of jurisdiction. Appeal dismissed.

Case No. 3322.—*Re* Toronto viaduct. Appeal by the Canadian Pacific Railway Company on question of law. Appeal dismissed.

Case No. 4813.—*Re* fencing and cattleguards. Order No. 7473. Appeal by the Canadian Northern Railway Company on question of jurisdiction. Appeal allowed in part.

Case No. 4492.—City of Toronto and Grand Trunk Railway and Canadian Pacific Railway Companies, *re* commutation tickets. Stated case to the Supreme Court by the city of Toronto on question of law.

Case No. 3545.—*Re* city of Ottawa and county of Carleton, Richmond road viaduct. Appeal by the county of Carleton on question of jurisdiction. Appeal dismissed.

File No. 13079.—Grand Trunk Railway and Canadian Northern Ontario Railway spur, township of Scarboro. Appeal by the Grand Trunk Railway Company on question of jurisdiction. Appeal dismissed.

Case No. 3269.—Grand Trunk Railway and British American Oil Companies, oil rates. Appeal by the Grand Trunk Railway Company on question of law. Appeal dismissed.

File No. 1519.—Grand Trunk Pacific Railway and Fort William *re* location. Appeal by the Grand Trunk Pacific Railway on question of jurisdiction. Appeal dismissed.

File No. 11965.—Niagara, St. Catharines and Toronto Railway and Davy. Appeal by the Niagara, St. Catharines and Toronto Railway on question of jurisdiction. Appeal allowed.

File No. 9527.—Montreal Street Railway *re* rates, Mount Royal ward. Appeal by the Montreal, Park and Island Railway on question of jurisdiction. Appeal allowed.

File No. 10912.—Application of the Canadian Northern Railway Company to cross certain streets in city of Prince Albert, Sask., and Chas. Macdonald. Not yet heard.

File No. 15580.—Clover Bar Coal Company, Limited, and Wm. Humberstone. The Grand Trunk Pacific Railway Company and the Clover Bar Sand and Gravel Company. Appeal allowed.

File No. 16282.—Regina Rate Case. Appeal dismissed.

File No. 1487.—Application of E. F. Chambers and W. R. G. Phair in connection with Order of the Board No. 544, dated July 13, 1905, *re* Canadian Pacific Railway location, Molson-St. Boniface Branch. Leave to appeal granted.

File No. 17963.—Application of the Grand Trunk Pacific Railway Company for leave to appeal from judgment of the Board in regard to complaint of A. E. Purcell of Saskatoon, Sask. Appeal dismissed with costs, judgment being confined to particular circumstances at Saskatoon.

Case No. 3269.—Application of the Canadian Pacific Railway Company for leave to appeal from judgment of the Board on question of law in regard to the British American Oil Company's case. Appeal dismissed with costs.

File Nos. 15330 and 15330·1.—Application of the Grand Trunk and Canadian Pacific Railway Companies for leave to appeal upon the question of jurisdiction of the Board in regard to order dated May 16, 1911, *re* Canadian Oil Company. Appeal dismissed with costs.

File No. 19435.—Application of the Grand Trunk Pacific Railway Company for leave to appeal from order No. 16701, dated June 4, 1912, authorizing the city of Edmonton to cross with tracks and wires, etc., of its municipally-owned electric street railway, the track of the Grand Trunk Pacific Railway Company at 21st Street, Edmonton. Appeal dismissed.

File No. 14329·9.—Montreal, Park and Island Railway Company and Montreal Tramways Company, for leave to appeal against order of the Board No. 17082, dated July 20, 1912, allowing the Lachine, Jacques Cartier and Maisonneuve Railway Company to expropriate lands of the Montreal, Park and Island Railway Company. Appeal allowed.

File No. 20062.—Application of the British Columbia Electric Railway Company from order of the Board No. 17480, dated October 14, 1912, authorizing the city of Vancouver to construct Hastings, Pender, Keefer and Harris Streets across the tracks of the Vancouver, Victoria and Eastern Railway and Navigation Company, in the city of Vancouver, B.C. Appeal granted.

File No. 16171.—Appeal of the Independent Telephone Companies to the Supreme Court of Canada from the general order of the Board No. 149, on question of law. Appeal pending.

SUMMARY.

Number of cases in which appeal was dismissed	18
Number of cases in which appeal was allowed	9
Number of cases still pending	3
	30

LIST OF APPEALS TO THE GOVERNOR IN COUNCIL FROM FEBRUARY 1, 1904, TO MARCH 31, 1916.

File No. 399.—Bay of Quinte railway crossing Canadian Pacific Railway Company at Tweed, Ont. Appeal by the Bay of Quinte Railway Company. Order of the Board set aside and former order of the Railway Committee confirmed.

File No. 1455.—James Bay Railway *v.* Grand Trunk Railway Company crossing near Beaverton. Appeal of the James Bay Railway Company. Appeal dismissed.

File No. 1781.—*Re* Chatham street crossings, Grand Trunk Railway Company. Appeal by the Grand Trunk Railway Company. Appeal dismissed.

File No. 12992.—*Re* Maniwaki branch of Canadian Pacific Railway Company, starting of trains from Ottawa. Appeal allowed and case referred back to Board.

File No. 2030.—*Re* tariffs of certain Yukon railway. (This was not included in the report).

File No. 12912.—Park Avenue subway, Town of St. Louis, Montreal, and Canadian Pacific Railway Company. Appeal dismissed in part.

File No. 3452·30.—Application of J. Y. Rochester *re* Cameron Bay and Grand Trunk Pacific Railway Company. Appeal dismissed.

File No. 17040.—Lambton to Weston spur and Canadian Pacific Railway Company. No formal order made.

File No. 17716.—Canadian Pacific Railway Company spur (Longue Pointe) through town of Maisonneuve, Que. Appeal dismissed.

File No. 18787.—South Hazelton townsite and Grand Trunk Pacific Railway Company. Appeal allowed.

Case No. 3322.—Toronto Viaduct Case. Appeal dismissed.

File 9437·153 and file 12021·70.—Appeal of the Corporation of the City of Toronto from two orders of the Board, dated June 25, 1912, and numbered respectively 16842 and 16846 and in the matter of the North Toronto Grade Separation. Yonge Street subway. Appeal dismissed.

File No. 19024.—Appeal of Charles Miller of Toronto, Ont., from the order of the Board, dated 14th day of May, 1913, in the matter of the application of the Grand Trunk Pacific Railway Company for approval of the location of the company's station at Prince George, B.C. Appeal dismissed.

File No. 16177.—Appeal of the Canadian Pacific Railway Company from the Order of the Board, dated 19th day of February, 1913, in the matter of the application of the Mountain Lumber Manufacturers' Association regarding lumber rates. Appeal withdrawn.

File No. 21418.—Appeal by the Corporation of the City of Prince George, B.C., from a decision of the Board made on the 23rd day of November, 1914, directing the location of the station site at Prince George, B.C. Appeal pending.

File No. 22681·25.—Appeal by the City of Montreal, Que., from an Order of the Board No. 23390, dated March 2, 1915, *re* Canadian Northern Quebec Railway Company sidings across Stadacona and Marlboro streets, Montreal. Appeal pending.

File No. 21660.—Appeal by the Canadian Northern Ontario Railway company from an Order of the Board dated November 3, 1915, directing that the said company pay to the township of Loughboro, Ont., the sum of $5,000. Appeal refused.

SUMMARY.

Number of cases in which appeal was dismissed	10
Number of cases in which appeal was allowed	3
Number of cases still pending	2
Number of cases withdrawn	2
	17

F. R. DEMERS,

OTTAWA, April 26, 1916. *Statistical Clerk, Records.*

APPENDIX " L."

List of General Orders and Circulars of the Board for the year ending March 31, 1916.

General Order No.	Date.	Subject.
138	March 25th, 1915	Packing of moving picture films for carriage.
139	April 1st, 1915	Eastern Freight rates, suspension of tariffs.
140	April 13th, 1915	Handrails and steps for headlights on locomotives.
141	April 15th, 1915	Fireguards, amendment of General Order 107.
142	April 17th, 1915	Express merchandise receipt form
143	April 29th, 1915	Redemption of unused tickets.
144	April 29th, 1915	Express merchandise receipt form, rescinding General Order No. 142.
145	May 31st, 1915	Dump ash pans, locking gear.
146	July 29th, 1915	Joint Tariff concurrences.
147	July 29th, 1915	Cleaning and disinfecting stock or box cars, *re* charges.
148	Sept. 1st, 1915	Collection of advances for Seed, Grain, Fodder for animals, etc.
149	Sept. 14th, 1915	*Re* Reciprocal telephone toll connections.
150	October 19th, 1915	*Re* Flag Stations, amendment of General Order No. 54.
151	Nov. 8th, 1915	Regulations governing baggage car traffic in Canada.
152	Nov. 2nd, 1915	Maximum tolls for carriage of vegetables in refrigerator car-load lots.
153	Nov. 4th, 1915	Classification changes in the "Canada Gazette".
154	Nov. 10th, 1915	*Re* Commodity tariffs on cream pasteurizers, in less than carload lots.
155	Nov. 15th, 1915	Cleaning and disinfecting stock or box cars, filing of amended tariffs.
156	January 18th, 1916	Profiles of railway companies whose lines commence at, terminate at, etc. listed in the work entitled "Altitudes in Canada".
157	January 31st, 1916	Profiles of railway companies whose lines commence at, terminate at, etc. listed in the work entitled "Altitudes in Canada", rescinding General Order No. 156.
158	February 15th, 1916	Express Classification for Canada, amendment of General Order No. 153.
159	February 18th, 1916	Cars or engines obstructing main tracks within yard limits.
160	February 24th, 1916	*Re* Embargoes,—reporting to Board.
161	February 23rd, 1916	*Re* Flagging Rules.
162	March 30th, 1916	Telegraph forms, approval of.
163	March 31st, 1916	Telegraph tolls.
Circular No.		
142 (Sup. No. 1)	April 17th, 1915	Hand Rails and Foot Rests on Cabs and Tenders of locomotives.
142	July 6th, 1915	Hand Rails and Foot Rests on Cabs and Tenders of locomotives.
143	July 8th, 1915	Insulators on high tension electric power transmission lines at Railway crossings.
144	Sept. 29th, 1915	Notification to Shippers of non-delivery of freight.
145	Jan. 10th, 1916	Standardization of height of passenger car steps and of elevation of station platforms.
146	Jan. 20th, 1916	*Re* filing of plans for use in Registry Offices.
147	Jan. 26th, 1916	*Re* Fire Reports.
148	March 24th, 1916	*Re* Fire Reports.

GENERAL ORDER No. 138.

In the matter of the application of the Express Traffic Association of Canada, on behalf of the express companies subject to the jurisdiction of the Board for approval of a proposed amendment to the Express Classification for Canada No. 3, containing provisions for the proper packing of moving picture films, with the object of safeguarding the travelling public and the companies' employees. File No. 4397.18.

Upon reading what is filed in support of the application and the report and recommendation of the Chief Traffic Officer of the Board—

It is ordered that the proposed amendment to the said Express Classification for Canada No. 3 be, and it is hereby, approved as follows, namely:—

Moving picture films must be packed in tightly closed metal cases enclosed in a strong spark-proof wooden box; or in spark-proof cases made of sheet-iron not less than 0·02 inch thick and lined throughout with fibre board at least $\frac{1}{8}$ inch thick, or some other equivalent insulating material. The covers of these cases must fit tightly, and must lap over the body at least $\frac{1}{2}$ inch on the sides, forming a tight joint.

On the outside must be placed a red label reading:—

MOVING PICTURE FILMS.
Must not be loaded or stored near a radiator, stove,
or other source of heat.

(Sgd.) H. L. DRAYTON,
Chief Commissioner,
Board of Railway Commissioners for Canada.

OTTAWA, March 25, 1915.

GENERAL ORDER No. 139.

In the matter of the application of the Canadian Freight Association on behalf of railway companies under the jurisdiction of the Board, operating in Eastern Canada, for permission to increase their freight rates on various classes of general merchandise and commodities. File No. 25547.

Upon a further hearing of the application at the sittings of the Board held in Toronto, the 31st day of March, 1915, in the presence of counsel for and representatives of the Grand Trunk, Canadian Pacific, and Canadian Northern Railway Companies, the Dominion Government, the Montreal Board of Trade, the Toronto Board of Trade, the Brotherhood of Locomotive Engineers, the Brotherhood of Firemen and Trainmen, the Dominion and other Canners' Association, the Montreal Corn Exchange, the Atlantic Sugar Refinery of St. John, New Brunswick, and the Dominion Miller's Association, and what was alleged—

It is ordered that the proposed advances in commodity rates shown on pages 4, 5, 6, and the upper part of page 7 of Supplement 26 to the Canadian Pacific Railway Company's tariff, C.R.C. No. E-2480, be, and they are hereby suspended pending a decision by the Board in the said application for a general increase.

(Sgd.) H. L. DRAYTON,
Chief Commissioner,
Board of Railway Commissioners for Canada.

OTTAWA, April 1, 1916.

GENERAL ORDER No. 140.

In the matter of the complaint of W. L. Best on behalf of the Brotherhood of Locomotive Firemen and Enginemen against the failure of the railway companies properly to equip their locomotives with safe and adequate facilities for reaching the headlamp when necessary for employees to light and give other necessary attention to this part of the locomotive, and in the matter of the General

Order of the Board, No. 102, dated February 17, 1913, prescribing rules and regulations respecting safety appliances on trains of railway companies subject to the jurisdiction of the Board. File No. 25564.

Upon hearing what was alleged by the representatives of the railway companies and interests following, namely: The Wabash Railroad Company, the Canadian Pacific, Quebec, Montreal and Southern, Canadian Northern Ontario, Canadian Northern Quebec, Canadian Northern, Ottawa and New York, Grand Trunk, Grand Trunk Pacific, and Central Vermont Railway Companies, the Michigan Central, New York Central and Hudson River, and Rutland Railroad Companies, the Brotherhood of Locomotive Engineers, the Brotherhood of Locomotive Firemen and Enginemen, at a conference had with the operating officers of the Board held at Ottawa, April 8, 1915, the railway companies unanimously consenting to the proposed amendment,—

It is ordered that the said General Order No. 102, dated February 17, 1913, be, and it is hereby, amended by adding to the clause with the heading, "Handrails and Steps for Headlights," in the second last paragraph of the said Regulations, the words, "and headlight equipment," so as to make the said clause read as follows:—

"HANDRAILS AND STEPS FOR HEADLIGHTS.

Locomotives having headlights which cannot be safely and conveniently reached from pilot-beam or steam-chests shall be equipped with secure handrails and steps suitable for the use of men in getting to and from such headlights and headlight equipment."

(Sgd.) H. L. DRAYTON,
Chief Commissioner,
Board of Railway Commissioners for Canada.

OTTAWA, April 13, 1915.

GENERAL ORDER No. 141.

In the matter of the application of the Canadian Pacific Railway Company, hereinafter called the "Applicant Company," under section 29 of the Railway Act, for an Order varying General Order of the Board No. 107, dated the 4th day of July, 1913, prescribing regulations for the prevention of fires, in the following respects, namely: (1) By striking out clauses (*e*), (*f*), and (*g*) of section 8 of the said Order and substituting therefor the following as clauses (*e*), (*f*), (*g*), and (*h*):—

(*e*) An agent, employee, or contractor of any such railway company shall have the right to enter upon and construct such fireguards on lands not under cultivation, without the expressed consent of the owner or occupant of such land. During the progress of this work, no agent, employee, or contractor of the railway company shall permit gates to be left open, or to cut or leave fences down whereby stock or crops may be injured, or do any other unnecessary damage to property in the construction of fireguards.

(*f*) An agent, employee, or contractor of any such railway company shall not have the right to enter upon and construct such fireguards on lands under cultivation.

(*g*) The owner or occupant of land under cultivation shall, in writing, notify the railway, on or before July 1 of each year, if he requires a fireguard constructed and maintained on his cultivated land. The Railway Company shall acknowledge the notification and construct and maintain such fireguard.

(*h*) After the date set by the Chief Fire Inspector for the completion of such fireguards, the railway company shall not be required to construct any fireguards, the aforesaid requirements having been complied with.

(2) By striking out the words, "or near," in the third line of section 13, and also clause (*e*) of the said section 13.

File No. 4741. Part 6.1.

Upon hearing the application at the sittings of the Board, held in Ottawa, April 6, 1915, in the presence of counsel for the representatives of the applicant company, the Grand Trunk and Canadian Northern Railway Companies, the province of British Columbia, the Dominion Parks Branch of the Department of the Interior, the Dominion Forestry Branch, the Canadian Lumbermen's Association, the Canadian Forestry Association, and the Quebec Forest Protection Branch, and what was alleged—

It is ordered that the application to amend the said General Order, No. 107, be, and it is hereby, dismissed except with respect to that part of the application dealing with clause (*e*) of section 8 of Order, which is reserved for further consideration.

(Sgd.) H. L. DRAYTON,
Chief Commissioner,
Board of Railway Commissioners for Canada.

OTTAWA, April 15, 1915.

GENERAL ORDER No. 142.

In the matter of the complaints made by shippers against Sections No. 5, subsection (*c*) of the form of Express Merchandise Receipt;
And in the matter of labelling "prepaid" and "collect" packages:—File No. 3507. Case No. 219.

Upon hearing the matter of the Merchandise Receipt at the Sittings of the Board held in Ottawa, February 16, 1915, in the presence of Counsel for and representatives of the Express Companies, the Toronto Board of Trade, and the Canadian Manufacturers' Association, and what was alleged; and upon reading the submissions filed, and the report of the Chief Traffic Officer of the Board—

1. It is ordered that subsection (*c*) of section 5 of the "Terms and Conditions" endorsed on the Express Merchandise Receipt, be struck out; and that, in lieu thereof, the following new subsection be inserted:

> For any loss or damage caused by delay or by injury to, or loss or destruction of the shipment, or any part thereof, from conditions beyond the control of the company, unless such loss or damage is caused by the negligence of the railway company upon whose trains or property the shipment was at the time such loss or damage occurred.

2. And it is further ordered.

(*a*) That express companies subject to the jurisdiction of the Board shall firmly affix a printed label to every shipment of goods received for carriage, which label shall indicate in conspicuous type whether the charges thereon have been prepaid, or are payable by the consignee.

(*b*) One such label affixed to any one package or article in a shipment composed of two or more packages or articles may suffice, provided that the label indicates the total number of packages or articles in the shipment.

(*c*) For "prepaid" shipments the label shall be printed in black on yellow paper.

(*d*) For "collect" shipments the label shall be printed in black on white paper.

(*e*) Permission of the consignee shall be obtained before the removal of any tag, wrapper, or portion of wrapper from any package or article.

(Sgd.) H. L. DRAYTON,
Chief Commissioner,
Board of Railway Commissioners for Canada.

OTTAWA, April 17, 1915.

GENERAL ORDER No. 143.

In the matter of Chapter 38 of the Revised Statutes of Canada, 1906, and the delay by the railway companies in refunding the amounts due holders of unused tickets, either in whole or in part, as provided by the said Act.

File No. 22589.

Complaints having been made to the Board, and its appearing that considerable inconvenience and annoyance have been caused the public by delays on the part of railway companies in making repayment to ticket holders, as required under the said Act, Chapter 38, R.S.C. 1906;

Upon hearing what was alleged on behalf of the Grand Trunk, Canadian Pacific, Canadian Northern, and Ottawa and New York Railway companies and the Michigan Central Railroad company, represented at the sittings of the Board held in Ottawa, April 20, 1915, on the return of the notices calling upon the railway companies to show cause why repayment, as provided under the said Act, should not be made within thirty days from demand; and upon reading and considering the written submissions filed on behalf of the said railway companies;

In pursuance of the said Act, Chapter 38, R.S.C., 1906, and the powers conferred upon it by Section 2, subsection (28), and Section 30 of the Railway Act, and of all other powers possessed by the Board in that behalf:

It is ordered:

1. That every railway company subject to the jurisdiction of the Board repay to every holder of a ticket over its railway, within thirty days from demand in the case of a single line ticket and within sixty days from demand in the case of a joint ticket the cost of the said ticket if unused in whole or in part, less the regular fare for the distance for which such ticket may have been used.

2. That every such railway company failing to comply with the foregoing regulation be liable to a penalty of a sum not exceeding twenty-five dollars ($25) for every such failure.

(Sgd.) H. L. DRAYTON,
Chief Commissioner,
Board of Railway Commissioners for Canada.

OTTAWA, April 29, 1915.

GENERAL ORDER No. 144.

In the matter of the complaints made by shippers against Section No. 5, subsection (*c*) of the form of Express Merchandise Receipt;

And in the matter of labelling "prepaid" and "collect" packages: File No. 3507—Case No. 219.

Upon hearing the matter of the Merchandise Receipt at the sittings of the Board held in Ottawa, February 16, 1915 in the presence of Counsel for and representatives

of the Express Companies, the Toronto Board of Trade, and the Canadian Manufacturers' Association, and what was alleged; and upon reading the submissions filed, and the report of the Chief Traffic Officer of the Board:

It is ordered:

1. That subsection (*c*) of section 5 of the "Terms and Conditions" endorsed on the Express Merchandise Receipt be amended by striking out the concluding words of the subsection, reading "or from conditions beyond its control;" and by inserting as subsection (*c*) the following:—

> "For any loss or damage caused by delay or by injury to or loss or destruction of the shipment or any part thereof, from conditions beyond the control of the company, unless such loss or damage is caused by the negligence of the railway company upon whose trains or property the shipment was at the time such loss or damage occurred."

2. And it is further ordered:

(*a*) That express companies subject to the jurisdiction of the Board shall firmly affix a printed label to every shipment of goods received for carriage, which label shall indicate in conspicuous type whether the charges thereon have been prepaid, or are payable by the consignee.

(*b*) One such label affixed to any one package or article in a shipment composed of two or more packages or articles may suffice, provided that the label indicates the total number of packages or articles in the shipment.

(*c*) For "prepaid" shipments the label shall be printed in black on yellow paper.

(*d*) For "collect" shipments the label shall be printed in black on white paper.

(*e*) Permission of the consignee shall be obtained before the removal of any tag, wrapper, or portion of wrapper from any package or article for the purpose of verifying a "prepaid" label, or marks indicating prepayment, on a consignment billed "to collect".

3. And it is further ordered that General Order No. 142, dated April 17, 1915, made herein, be, and it is hereby, rescinded.

(Sgd.) H. L. DRAYTON,
Chief Commissioner.

OTTAWA, April 29, 1915. *Board of Railway Commissioners for Canada.*

GENERAL ORDER No. 115.

In the Matter of the Order of the Board No. 15988, dated February 17, 1912, providing that all railway companies subject to the jurisdiction of the Board equip their locomotives with ash pans that can be dumped or emptied without the necessity of an employee getting under the locomotive, except in cases of emergency: File No. 4966, Pt. 3.

Upon hearing the matter at the sittings of the Board held in Ottawa, April 6, 1915, in the presence of Counsel for and representatives of the Canadian Pacific, Grand Trunk and Canadian Northern Railway companies, the Brotherhood of Locomotive Engineers, and the Brotherhood of Locomotive Firemen and Enginemen, and what was alleged; and upon reading the further submissions filed—

It is ordered that the Canadian Pacific Railway Company be, and it is hereby, directed, by the 1st day of July, 1915, to equip its engines with a locking gear for the dampers of the ash pans: Provided that no engine shall be operated from and after that date unless so equipped.

(Sgd.) D'ARCY SCOTT,
Assistant Chief Commissioner.

OTTAWA, May 31, 1915. *Board of Railway Commissioners for Canada.*

SESSIONAL PAPER No. 20c

GENERAL ORDER No. 146.

In the matters of: (*a*) Joint tariff concurrences. (*b*) Filing of joint tariffs to United States points, or to Canadian points through the United States. (*c*) Tariff changes and suspensions: Files Nos. 1144, 24388, and 24318.

WHEREAS the Railway Act, section 333, provides that where traffic is to pass over any continuous route in Canada operated by two or more companies, the several companies may agree upon a joint tariff for such continuous route, and the initial company shall file such joint tariff with the Board, and the other company or companies shall promptly notify the Board of its or their assent to and concurrence in such joint tariff;

AND WHEREAS doubt has arisen as to the intent of section 335 of the Railway Act—

IT IS ORDERED as follows, namely:—

1. That one or other of the following forms of concurrence certificate be used in notifying the Board of assent to and concurrence in joint tariffs or supplements thereto, applicable between points in Canada, which have been published and filed by another (the initial) company, and to which the company giving assent and concurrence has been made a party, the certificate to be printed on paper eleven inches long by eight inches wide and mailed to the chief traffic officer of the Board, namely:—

(*a*) "SPECIFIC CONCURRENCE CERTIFICATE."

(Name of concurring company in full.)

.....Department.

(Place and date).....

No. C.C. (from No. 1 progressively).

The Board of Railway Commissioners for Canada:—

This is to certify that the (name of concurring company in full) assents to and concurs in the publication and filing of the joint schedule described below, and hereby makes itself a party thereto and bound thereby.

(Full title and C.R.C. No. of schedule concurred in.)

Date effective.....

Issued by .....Company.

(*b*) "LIMITED CONCURRENCE CERTIFICATE."

(Name of concurring company in full.)

.....Department.

(Place and date).....

No. L.C. (from No. 1, progressively.)

The Board of Railway Commissioners for Canada:—

This is to certify that the (name of concurring company in full) assents to and concurs in joint tariffs and supplements thereto that may hereafter be published and filed by the (name of company in full), applying via (name of junction point with concurring company) or from (names of points or description of territory), in which this company is named as a participant, in so far as such schedules contain rates or regulations which apply within Canada, via this company's line to (not from).....
.....(description of territory), and hereby makes itself a party thereto and bound thereby.

(c) "GENERAL CONCURRENCE CERTIFICATE."

(Name of concurring company in full.)

..... Department.

(Place and date) .....

No. G.C. (from No. 1 progressively).

The Board of Railway Commissioners for Canada:

This is to certify that the (name of concurring company in full) assents to and concurs in all joint tariffs and supplements thereto that may hereafter be published and filed by the (name of company in full) in which this company is named as a participant, in so far as such schedules contain rates or regulations which apply within Canada, to or via (not from) this company's points, and hereby makes itself a party thereto and bound thereby.

2. That the said "Specific" Concurrence Certificate be signed with the name and title of the official of the concurring company appointed by by-law of the company to prepare and issue tariffs, or by some person duly authorized to sign for him, such person to affix his name in full, and his name and authority for the purposes of this Order to be communicated to the Board.

3. That the said "Limited" and "General" Concurrence Certificates be signed in person by the official of the concurring company appointed by by-law of the company to prepare and issue tariffs.

4. That the company which prepares and issues the joint schedule show therein, in small type against the name of each of the concurring companies, the "C.C.," "L.C.," or "G.C." number, as the case may be, of the certificate of concurrence of such company in such joint schedule.

5. That two copies of all certificates of concurrence be filed with the Board, one, marked "duplicate," to be stamped with the date of receipt by the Board and returned to the sender.

6. That, under section 323 of the Railway Act, the only procedure in the case of non-concurrence in a joint schedule be by formal application by the objecting company to the Board for an Order disallowing the said schedule.

7. That section 335 of the Railway Act be, and it is hereby construed to require the filing of joint tariffs from points in Canada to points in the United States, or between points in Canada when a portion of the continuous route is in the United States, by the initial company in Canada in behalf of itself and of the other company or companies contributing to such continuous route.

8. That the joint tariffs referred to in clause 7 hereof bear the C.R.C number of the initial company, and be transmitted to the Board by filing advices of the said company.

And in pursuance of the powers conferred upon the Board by sections 26 and 348 of the Railway Act, and of all other powers possessed by it in that behalf—

It is further ordered as follows, namely:—

9. That no toll contained in any special or competitive freight or express tariff referred to in subsections 3 and 4 of section 326, and subsection 2 of section 348 of the Railway Act, be advanced until it has been in force for at least thirty days;

Provided that when a special or competitive freight or express tariff contains a notice that any reduced toll shown therein will expire upon a given date, which date shall not be less than thirty days from the date upon which the said reduced toll becomes effective the said notice be considered to comply with subsection 3 of section 328 of the Railway Act, as amended by section 11, 1-2 George V, Chapter 22.

10. That a schedule of freight, passenger, express, telegraph, or telephone tolls which omits any toll or service included in any schedule cancelled thereby, give the reference by the C.R.C. number to the schedule wherein the toll or service is there-

after shown, or so indicate if the service is abolished, and that a supplement giving notice of cancellation only show the same information.

11. That matter repeated in a supplement to a tariff from an earlier supplement carry the remark "Reissue; effective. . . . . 19. . . . . in supplement No. . . . . .

12. That except of its own motion, or on special grounds advanced, the Board will not ordinarily suspend or postpone the effective date of any schedule, or any particular rate, rule, or regulation shown therein, or any cancellation notice, unless an application for suspension or postponement is received by the Board at least fourteen days before the date when the said schedule or notice is published to become effective; the application to state the C.R.C. number of the tariff (if a supplement or notice, its number also) whether the entire schedule or a part thereof is complained against, and the anticipated effect of the new publication in sufficient detail to justify its suspension or postponement.

13. That the Order of the Board No. 8984, dated the 11th day of December, 1909, and the General Order of the Board No. 129, dated the 22nd day of July, 1914, be, and they are hereby rescinded.

(Sgd.) H. L. DRAYTON,
Chief Commissioner.
Board of Railway Commissioners for Canada.

OTTAWA, July 7, 1915.

GENERAL ORDER No. 147.

In the matter of the application of the Toronto Live Stock Exchange, the Live Stock Shippers' Association of Ontario, and others, for an Order disallowing a charge of $2.50 per car for cleaning and disinfecting single-deck stock or box cars, and $4 for double-deck stock cars, which the railway companies proposed to collect by tariffs published and filed the said tariffs having been suspended by the Board pending a hearing. File No. 26059.

Upon hearing the application at the Sittings of the Board held in Toronto, July 16, 1915, in the presence of Counsel for and representatives of the Applicants, the Grand Trunk, the Canadian Pacific, the Canadian Northern, the Toronto, Hamilton and Buffalo, and the Ottawa and New York Railway Companies, and the Pere Marquette Railroad company, and what was alleged—

It is ordered that the railway companies subject to the jurisdiction of the Board may charge and collect a toll not exceeding 75 cents for cleansing and (or) disinfecting any car in which live stock has been carried when the said work is done by the railway companies; and that the said toll may lawfully be an addition to the charges, as published in the tariffs of the companies, for transportation of the live stock unloaded from the said cars.

And it is also ordered that any tariffs of the said railway companies showing a toll, or tolls, for cleansing and (or) disinfecting live stock cars in excess of the toll of 75 cents per car, be, and they are hereby, disallowed; and that the Order of the Board No. 23927, dated the 2nd day of July, 1915, be and it is hereby rescinded.

(Sgd.) H. L. DRAYTON,
Chief Commissioner.
Board of Railway Commissioners for Canada.

OTTAWA, July 29, 1915.

GENERAL ORDER No. 148.

In the matter of the collection of advances for Seed Grain Fodder for Animals and other goods by way of relief, furnished to persons in the Provinces of Alberta and Saskatchewan, under the authority of Chapter 20 of the Acts of 1915, and the Order of the Board No. 7562, dated July 15, 1909, approving the forms of Bill of Lading for use in Canada by railway companies, and setting forth conditions and limitations to be endorsed upon the said Bills of Lading.

File No. 26155.

Upon the request of the Governor General in Council that railway companies be instructed to endorse upon the Bills of Lading under which shipments of grain are made in the provinces of Alberta and Saskatchewan, the amount payable for advances for seed grain, fodder for animals and other goods, as authorized under said Chapter 20 of the Acts, 1915, and the interest agreed to be paid, and reading what has been filed on behalf of the Canadian Pacific Railway, Canadian Northern Railway and the Grand Trunk Pacific Railway companies.

It is ordered that in pursuance of the powers conferred upon the Board under Section 340 of the Railway Act, and all other powers possessed by it in that behalf, all railway companies within the legislative control of the Parliament of Canada and operating in the said provinces of Alberta and Saskatchewan, be, and they are hereby authorized to endorse upon the Bills of Lading, approved under said Order No. 7562, the amount of advances for seed grain, fodder for animals and other goods furnished to persons in the provinces of Alberta and Saskatchewan, and the interest agreed to be paid, authorized by said Chapter 20 of the Acts, 1915, and as provided under said Order in Council of July 23, 1915.

(Sgd.) D'ARCY SCOTT,
Asst. Chief Commissioner.
Board of Railway Commissioners for Canada.

OTTAWA, September 1, 1915.

GENERAL ORDER No. 149.

In the matter of the order of the Board No. 14184, dated May 9 and 10, 1911; and the application of the Bell Telephone Company of Canada, hereinafter called the "Bell Company" in pursuance of the terms thereof, for an order rescinding said order in so far as it concerns the Ingersoll Telephone company, Limited, the Blenheim and South Kent Telephone Company, Limited, the Peoples Telephone Company of Forest, Limited, the South Lambton Telephone Co-Operative Association, Limited, the Markham and Pickering Telephone company, Limited, the Niagara District Telephone company, Limited, the Municipal Corporation of the Village of Brussels being the initiating municipality of the Brussels, Morris and Grey Municipal Telephone System, and the Wheatley Telephone company, Limited.

And in the matter of the application on behalf of the said Telephone company hereinafter called the "Independent Companies", for an order varying said order No. 14184 by reducing and making reciprocal the connecting toll or by eliminating the said toll altogether; and also by extending the operation of the said order to all independent systems connecting with the Bell company.

File No. 16171, Part 3.

Upon hearing the application at the sittings of the Board held in Toronto, April 30, 1913 (and other sittings including the sittings of the 14th October, 1913, and

March 25, 1915), in the presence of counsel for the Bell company and the independent company and systems, the evidence offered, and what was alleged; and the reading of the written submissions filed on behalf of the companies and the hearing of argument of counsel:

It is ordered as follows:

1. That the said Order No. 14184, dated the 9th and 10th of May, 1911, be and the same is hereby rescinded.

2. The Bell company shall on the application of any municipal corporation, independent telephone company or system connect its long distance telephone system or line with the system or line of any such municipal corporation, independent telephone company or system unless otherwise ordered.

3. Each Applicant shall build the connecting lines to the point nearest adjacent to the central office of the Bell company where the connection is to be made and the Bell Company shall continue the said connecting lines upon its poles into its central office and make the necessary connections to its switchboard: Provided, however, that the Bell company shall not be required to construct or maintain lines beyond the limits of the corporation in which the Bell Exchange is situated.

4. Each of the applicants so connected shall re-imburse the Bell company for any and all outlay and expense incurred by it in making said connections or the use of the Bell plant. Any dispute between the said Applicants or any of them and the Bell company as to the cost of such work or use, if any, of the Bell plant, shall be adjusted by the electrical engineer of the Board.

5. The Bell company shall establish connection, time and supervise all conversations, check duration of same and compute the charge accruing to each company and system and when required the length of time and the amount of charge shall be stated at the termination of each conversation or message for the information of the person who originates the call.

6. On the request of the Applicants, the Bell company agreeing thereto, it is agreed that no surcharge or other charge, save the ordinary long distance toll, shall be made by the Bell company to a municipality, corporation, independent company or system which is non-competing.

7. Each of the Applicants so connected shall pay the Bell company the following annual charges, payable half yearly in advance, from the date of connection hereunder, namely:—

(*a*) The sum of $100 so long as such company has not more than 250 subscribers.

(*b*) The sum of $200 so long as such company has over 250 but not more than 600 subscribers.

(*c*) The sum of $300 so long as such company has more than 600 subscribers.

8. That the Applicant Company shall for the above annual fee, be entitled to only three points of connection; for each additional point of connection the annual payment should be fixed on the basis of the above schedule having regard to the number of subscribers covered by such additional connection.

9. The independent company or system shall furnish every three months such information with respect to the names and addresses of subscribers as may reasonably be required by the Bell company for the purpose of ascertaining the amount payable to the Bell company hereunder, and for the making of proper directory listings and proper handling of traffic.

10. In the case of competing companies or systems on each Long Distance communication originating upon the lines of an independent company or system connecting hereunder and transmitted over the lines of the Bell company, the independent company or system shall be liable for, and shall pay to the Bell company the latter's regular Long Distance charge from the point of exchange or connection with the independent company or system to the point of Destination, and further, as payment for service in connection with the additional facility given, there shall be a

surcharge of 10c. on all communications interchanged each way of which surcharge the Bell company shall receive 7c. and the independent company or system, 3c.

11. Each company or system shall collect all charges due hereunder for communications originating on its system and account to and pay over to the other company or system the latter's portion thereof.

12. Each month a summary of business interchanged during the preceding month shall be furnished by the company to the independent company or system and a settlement shall be made of the amount due to either company or system within thirty (30) days after the receipt of such summary and after the expiration of the aforesaid thirty (30) days interest at the rate of six per cent (6 %) per annum shall be added to all accounts in arrear, and in the event of the said amount, with interest, not being paid at the expiration of three months from the date of the aforesaid summary being furnished, then the company or system not in default may terminate the connection.

13. If any dispute arises as to the standard of the apparatus of any such independent connecting company or system the same shall be referred to the Board.

14. The independent companies and systems shall observe in the handling of interchanged telephonic communications such reasonable rules and regulations relating to operating routing of communications, and the point of connection for each exchange of the independent company or system as the Bell company may from time to time adopt or determine subject to appeal to the Board.

H. L. DRAYTON,
Chief Commissioner.

OTTAWA, September 14, 1915. *Board of Railway Commissioners for Canada.*

GENERAL ORDER No. 150.

In the matter of the application of the Canadian Northern Railway company for an Order amending General Order of the Board No. 54, dated January 6, 1910, requiring the construction of flag stations in Manitoba, Saskatchewan, and Alberta, from or to which L.C.L. freight and passenger traffic is carried.

File No. 4205, Case No. 871.

Upon reading what is filed in support of the application, and its appearing that the wording of the Order does not clearly carry out its intention—

It is ordered that the said General Order No. 54, dated January 6, 1910, be, and it is hereby amended, by striking out the words "All freight traffic," in the first line of Clause 3 of the Order, and substituting therefor the words, "All L.C.L. freight traffic."

(Sgd.) H. L. BRAYTON,
Chief Commissioner,

OTTAWA, October 19, 1915. *Board of Railway Commissioners for Canada.*

GENERAL ORDER No. 151.

In the matter of the interim Order of the Board, No. 195, dated October 17, 1904, authorizing the use of forms of bills of lading and other traffic forms, until the Board should otherwise order and determine, and the consideration of the matter of the proposed regulations governing baggage car traffic in Canada.

File No. 23328.

Upon reading the said proposed regulations filed by the railway companies, copies of the said regulations having been sent to the Canadian Manufacturers' Association,

the Montreal Chamber of Commerce, the Ontario Wholesale Grocers' Guild, and the Boards of Trade of St. John, New Brunswick, Quebec, Montreal, Ottawa, Kingston, Toronto, Hamilton, Brantford, London, Winnipeg, Brandon, Regina, Saskatoon, Edmonton, Calgary, Lethbridge, Vancouver, Victoria and Nelson, and reading the written submissions filed in support of the application and on behalf of the parties named, as well as the Commercial Travellers' Association of Canada, the Ontario Commercial Travellers' Association, and various individuals interested, numerous conferences between the officers of the Board and the parties interested having taken place—

It is ordered,

That the following regulations attached hereto and marked "A" governing baggage car traffic be, and they are hereby, prescribed for the observance of every railway company within the legislative authority of the Parliament of Canada, other than Government railways, therein referred to as "the carrier."

That the said regulations come into force the first day of January, 1916.

(Sgd.) H. L. DRAYTON,
Chief Commissioner,
Board of Railway Commissioners for Canada.

OTTAWA, November 8, 1915.

"A"—REGULATIONS GOVERNING BAGGAGE CAR TRAFFIC IN CANADA.

PERSONAL BAGGAGE.

Rule 1.—(*a*) Personal baggage consists of wearing apparel, toilet articles, and similar effects for actual use and necessary and appropriate for the wear, use, comfort and convenience of the passenger for the purposes of the journey and not intended for other persons or for sale. See also Rule 17.

(*b*) The carrier will not be responsible for loss of or damage to money, jewelry, negotiable papers and like valuables, liquids, perishable or fragile articles enclosed in baggage, nor for damage caused by same.

(*c*) Baggage must be enclosed in receptacles provided with handles, loops or other suitable means for attaching checks, and sufficiently strong to withstand necessary handling, such as trunks, valises, telescopes, suit cases, leather hat boxes, satchels, medium sized boxes and soldier, sailor or immigrant bags.

(*d*) Trunks or other rigid containers with more than two bulging sides, or with two bulging sides that are not opposite to each other, will not be accepted for transportation in regular baggage service.

(*e*) Receptacles, when not securely locked, will not be received or checked except on condition that no liability will be assumed for loss of articles therefrom, whether resulting from negligence of the carrier, its servants, or agents, or otherwise howsoever.

SAMPLE BAGGAGE.

Rule 2.—(*a*) Sample baggage consists of samples of merchandise and salesmen's catalogues carried by commercial travellers for the purpose of enabling them to make sales of goods similar to the samples carried or as shown in the catalogues, and not for sale or free distribution by the owner or owners, their branch houses, customers, or others. See also Rule 18.

(*b*) Money, jewelry, negotiable papers and like valuables, liquids, perishable or fragile articles should not be enclosed in sample baggage to be checked.

(*c*) Sample baggage must be enclosed in sample trunks or sample cases securely locked, sufficiently strong to withstand necessary handling (not in boxes, crates, drum cases, cylinders or barrels), except that sample whips in flexible cases not exceeding ninety inches in length, and twelve inches in diameter at the base, or one hundred pounds in weight, will be checked and transported as part of the passenger's baggage allowance. Not more than one such whip case will be checked for one passenger on one adult ticket.

(*d*) Trunks or other rigid containers with more than two bulging sides, or with two bulging sides that are not opposite to each other, will not be accepted for transportation in regular baggage service.

EXCESS VALUE.

Rule 3.—(*a*) The carrier will not accept for transportation from any one passenger baggage and, or other property that is declared to exceed $2,500 in value.

(*b*) The carrier shall not be liable in respect of or consequent upon loss of or damage or delay to any personal baggage whether caused by or resulting from negligence of the carrier, its servants or agents or otherwise howsoever for any amount in excess of $1,000 for any such baggage belonging to and checked for an adult passenger and $50 for any such baggage belonging to or checked for a child travelling on a half-fare ticket, which amounts shall be deemed to be the respective values of such baggage, whether charged for as excess size or excess weight baggage or carried as free allowance, unless greater values are declared and extra charges paid at time of checking in accordance with the carrier's current tariff.

(*c*) Charges for declared excess valuation must be prepaid.

CHECKING.

Rule 4.—(*a*) The checking of baggage and articles carried in regular baggage service attaches only to a ticket, when the baggage or other article offered for checking is the property of and is to be carried for the passenger to whom the ticket belongs.

(*b*) Subject to Rule 18, checks will only be issued to destination of ticket or to points where stop-overs are allowed, and only via route of ticket. Such baggage or other articles must not be checked to two or more destinations on same ticket.

(*c*) Such baggage or other articles to be checked must be presented with ticket to baggage agent at the station or wharf in sufficient time prior to the departure of train or steamer to permit of the proper recording, weighing or measuring, and the issuing of the necessary checks for same.

(*d*) The carrier shall endeavour to forward such baggage or other articles on same train or steamer with passenger but will not be responsible for failure to do so.

BABY CARRIAGES, ETC.

Rule 5.—(*a*) Baby carriages, go-carts, baby sleighs, children's velocipedes and tricycles or similar vehicles, when accompanied by passenger will be checked upon payment of charge in accordance with current tariff. Such articles do not form any part of the free baggage allowance and the charge therefor is separate from and has no connection with the charge for excess baggage.

(*b*) The carrier will not be responsible in any case for loss of or damage to such articles as pillows, robes and blankets carried in baby carriages, etc.

See also Rule 11.

BICYCLES.

Rule 6.—(*a*) Bicycles in trunks will be checked and included in weight of passenger's baggage.

(*b*) Bicycles not in trunks (lamps, cyclometers and tool bags to be removed) will be checked upon payment of charge in accordance with current tariff. Where wagon transfer is involved, they will be checked only to such transfer point. Bicycles, not in trunks, do not form any part of the free baggage allowance and the charge therefor is separate from and has no connection with the charge for excess baggage.

See also Rule 11.

TOBOGGANS AND SKIS.

Rule 7.—Toboggans with necessary attachments only, such as ropes and cushions, and skis, will be checked upon payment of charge in accordance with current tariff. These articles do not form any part of the free baggage allowance and the charge therefor is separate from and has no connection with the charge for excess baggage.

See also Rule 11.

DOGS.

Rule 8.—(*a*) Dogs not exceeding twenty-five dollars ($25) in value, when not intended for commercial purposes, exhibition, bench shows or field trials, and provided with securely fitting collar and chain or leash, all of sufficient strength, or in crates of sufficient strength, and if accompanied by owner or caretaker will be checked and transported in baggage cars on payment of charge in accordance with current tariff. Dogs properly crated or boxed may be checked through irrespective of wagon transfers en route, but dogs on chain or leash will not be checked beyond a transfer point where a wagon transfer is involved.

(*b*) Dogs must be chained immediately upon arrival at destination otherwise they may be disposed of at the carrier's discretion. Carriers do not assume obligation to feed or water dogs en route or to store or care for them at stations.

(*c*) When checked from stations where an agent is on duty, all charges must be prepaid.

(*d*) Dogs do not form any part of the free baggage allowance, and the charge therefor is separate from and has no connection with the charge for excess baggage.

(*e*) Any dog or crate of dogs exceeding twenty-five dollars ($25) in value or intended for commercial purposes, exhibition, bench shows, or field trials, will not be transported in baggage service.

(*f*) The carrier will not be responsible for any sum greater than twenty-five dollars ($25) for loss of or injury to any one dog on chain or leash or shipment of dogs in crate, whether caused by or resulting from negligence of the carrier, its servants or agents or otherwise howsoever.

RACING SHELLS AND RACING CANOES FOR REGATTAS.

Rule 9.—Racing shells or racing canoes for regattas when accompanied by persons in charge will be handled only in extra baggage cars on trains acceptable to the carriers and charged for in accordance with current tariff.

See also Rule 11.

CANOES.

Rule 10.—Canoes not exceeding eighteen (18) feet in length, when accompanied by sportsmen or campers, to specified territory, will be checked upon payment of charge in accordance with current tariff. Canoes do not form any part of the free baggage allowance and the charge therefor is separate from and has no connection with the charge for excess baggage.

See also Rule 11.

LIMITED LIABILITY.

Rule 11.—The carrier shall not be liable in respect of or consequent upon loss of or damage or delay to any receptacle, package or bundle containing any of the articles specified in Rules 5 (*a*) 6, 7, 9 and 10 of these regulations and the contents thereof or any of such articles not contained in a receptacle, package or bundle for any amount in excess of $5 whether such loss, damage or delay is caused by or results from the negligence of the carrier, its servants or agents or otherwise howsoever, which sum shall be deemed to be the value of any such receptacle, package or bundle or such article not so contained, unless a greater value is declared and extra charge paid at time of checking in accordance with the current tariff of the carrier.

MISCELLANEOUS ARTICLES.

Rule 12.—The following miscellaneous articles other than baggage will be checked and included in the weight of passengers' baggage, and carried at owner's risk, namely, tool chests, miners' and prospectors' packs, collapsible steamer chairs, (roped) invalid's chairs (when for use of an invalid travelling on same train), unloaded guns in leather or wooden cases, saddles in bags, surveyors' tools wrapped, except transits, levels, compasses and other similar instruments liable to injury; personal baggage in bundles, when properly wrapped in canvas or other strong material (paper wrapping excepted) and securely roped; golf, cricket, baseball or other club paraphernalia in closed receptacles, travellers' rugs, curling stones, snowshoes for personal use when properly tied together, sportsmen's and camper's outfits in dunnage bags or medium sized boxes with proper handles also tents and tent poles (not exceeding 15 feet in length), and fishing rods properly encased.

PUBLIC ENTERTAINMENT PARAPHERNALIA.

Rule 13.—(*a*) Property and scenery, domestic and trained animals except dogs on chain or leash, calcium light cylinders (consisting of one cylinder containing hydrogen gas and one cylinder containing oxygen gas) stereopticon outfits, moving picture machines (but not including moving picture films), musical instruments, tents and tent poles (not exceeding 15 feet in length), balloons securely wrapped and roped, and other paraphernalia of size and character convenient for safe handling in baggage cars, used in producing a theatrical performance, concert, lecture or other public entertainment indoors or out-of-doors, which may be loaded in ordinary baggage cars, will be transported in regular baggage service subject to the weight allowance shown in paragraph (*a*), Rule 17, and excess weight charged for at regular excess baggage rates, or in special baggage car (subject to special baggage car rules), at the convenience of the carrier, except that no article or animal weighing over 250 pounds will be accepted for transportation in a regular baggage service.

NOTE.—Trunks containing wearing apparel for use either on or off the stage are subject to the provisions of Rule 20.

(*b*) Advertising frames, window cards, and similar advertising matter, when enclosed in trunks, boxed or crated, carried by advance agents, will be checked and transported in baggage cars and included in weight of passengers' baggage.

(*c*) Tent poles (exceeding fifteen (15) feet in length), seats, merry-go-rounds, ferris wheels and similar wheels, or vehicles of any description unless knocked down, will not be handled in regular baggage service.

(*d*) Aeroplanes, airships, automobiles, motorcycles and other conveyances or machines propelled or operated by engines or motors will not be accepted for transportation in regular or special baggage car service.

(*e*) Explosives (including fireworks) and other dangerous articles such as gasolene, matches, moving picture films, etc., will not be transported in regular or special baggage service.

(*f*) Domestic and trained animals, weighing not more than two hundred and fifty (250) pounds each, used in producing a theatrical performance or other public entertainment will be checked and transported in baggage cars in regular baggage service or in special baggage cars, subject to special baggage car rules, at the convenience of the carrier, under the following conditions:

(1) They must be accompanied by owners or caretakers who have purchased proper transportation and who will provide proper facilities for loading and unloading wherever necessary.

(2) They must be properly presented for shipment, which shall be made at convenience of the carrier.

(3) If the animals are crated, charge shall be based on the actual weight with baggage allowance as shown in Rule 17.

(4) If not crated, the animals, except dogs on chain or leash, must either be weighed or a careful estimate made of the weight and charges made accordingly, minimum charge for uncrated animals to be $2. Dogs on chain or leash will be handled in accordance with Rule 8.

(5) Animals which may be dangerous, inconvenient or undesirable to transport in baggage cars in regular service, such as elephants, lions, etc., and those weighing more than two hundred and fifty (250) pounds will be handled only in special baggage cars, subject to special baggage car rules.

(6) The foregoing covers only animals which are used exclusively in performances on the stage, and is not to be construed as covering race horses, circuses or animals owned by individuals for private use, which must be either referred to the freight department, express company or handled under special circus contracts.

(*g*) In the case of baggage and other property carried in regular baggage service under this rule, the carrier shall not be liable for any claim in respect of or consequent upon loss of or damage to such baggage or property, except in the case of negligence of the carrier, its servants or agents, and in the case of such negligence, such liability shall not exceed the sum of $25 (which shall be deemed to be its value) for any one animal or crate of animals or musical instrument and the sum of $100 (which shall be deemed to be its value) for all the baggage and property of any one passenger, whether charged for as excess size or excess weight baggage or carried as free allowance, unless a greater value is declared and charges paid at time of checking in accordance with the carrier's current tariff.

(*h*) Special baggage cars may be obtained in accordance with the carrier's tariffs, for the conveyance of articles covered by this rule, and in that case the provisions as to charges for excess weight and as to maximum weight and size of articles carried in regular baggage service shall not apply.

(*i*) In the case of baggage and other property carried in special baggage cars under this rule, the carrier shall not be liable for any claim in respect of or consequent upon loss of or damage to such baggage or property except in the case of negligence of the carrier, its servants or agents, and in the case of such negligence, such liability shall not exceed the sum of $100 in respect of the baggage and property of each passenger whose baggage and property is being transported in such car or cars, which sum shall be deemed to be the value of such baggage and property, whether charged for as excess size or excess weight baggage or carried as free allowance, unless a greater value is declared and charges paid at the time of checking, as hereinafter provided.

(*j*) If a theatrical company or any member thereof, or other person engaging a special baggage car desires to declare a greater value than shown above on the whole

or any part of their effects, the shipping agent will collect amount due for such declared extra value, in accordance with the carrier's current tariff.

(*k*) The owner or his agent will so load such baggage and other property in a special baggage car as to prevent damage to or loss of such baggage or property in the ordinary course of transportation and will properly secure all doors and entrances to such car. The owner or his agent will also unload such baggage and property at destination with reasonable promptness and remove the same from the premises of the carrier immediately thereafter, otherwise the carrier may treat such baggage and property as unclaimed baggage subject to storage charges and animals may, at the option of the carrier, be sold, and out of the money arising from such sale the carrier may retain all reasonable charges and expenses of such detention and sale, paying over the surplus if any, of such money to the person or persons entitled thereto.

(*l*) The carrier assumes no liability for, loss or damage resulting from delay of baggage or property handled under this rule.

SPECIAL BAGGAGE CARS FOR EXCURSIONS.

Rule 14.—(*a*) When a special baggage car is furnished on excursion trains run for picnics and similar purposes, members of the party may be permitted to load in such car (without checking) baskets of provisions, baby carriages and other paraphernalia incidental to the occasion, and all such articles shall be considered to be in the exclusive care and custody of the owners and carried free, but only upon condition that the carrier shall not be responsible for any claims resulting from loss of or damage or delay to any such article, whether caused by or resulting from negligence of the carrier, its servants or agents, or otherwise, howsoever.

(*b*) When special baggage cars are furnished for military excursions members of the party may be permitted to load into such cars without checking camp equippage and other paraphernalia incidental to the occasion and all such articles shall be considered to be in the exclusive care and custody of the owners, and carried free, but only upon condition that the carrier shall not be responsible for any claims resulting from loss of or damage or delay to any such articles whether caused by or resulting from negligence of carrier, its servants or agents, or otherwise howsoever.

When a special baggage car or palace horse car is furnished for a military excursion, not more than twelve horses will be carried for any one excursion and then only at rates in accordance with carrier's current tariff.

When horses are carried in connection with military excursions, carrier shall not be liable for any claim in respect of loss of or injury to any such horses except in the case of negligence of the carrier, its servants or agents, resulting in a collision of the train on which such horses are carried or in the throwing of the car containing such horses from the track during transportation and in the case of such negligence such liability shall not exceed the sum of twenty-five dollars ($25) for the loss of or injury to any one horse; which amount shall be deemed to be the value of such horse unless a greater value is declared and charges paid at time of shipment in accordance with the carrier's current tariff.

CORPSES.

Rule 15. (*a*) A corpse will be transported in baggage service at rates in accordance with carrier's current tariff provided the corpse be accompanied on the same train by an adult holding proper transportation.

(*b*) A corpse will be accepted for transportation only on presentation of legal form of transit permit, properly filled out and signed, showing that the body has been prepared for shipment in accordance with the law.

(*c*) A corpse will not be checked beyond a station at which a wagon transfer is required, except where a special authority is given. The escort of the corpse will be required to make all arrangements for such transfer.

(*d*) When a corpse is checked to a non-agency station the carriers assume no responsibility for the care of the corpse at such destination.

(*e*) Each corpse box must have not less than six handles and be plainly marked, showing name of deceased, destination, route and to whom consigned.

(*f*) Escort will be required to present a separate ticket for his own transportation; contract and each coupon of the ticket to be marked "corpse escort. Excess check form.....No....."

(*g*) Baggage of the deceased may be checked upon presentation of the corpse ticket in accordance with the regulations governing the transportation of baggage of a passenger.

(*h*) A corpse will not be accepted or transported if it be offensive or if fluids are escaping from the case, notwithstanding the presentation of permits or certificates.

(*i*) When a casket and dead body presented for shipment in baggage service weighs more than five hundred (500) pounds the excess weight will be charged for at current excess baggage rates.

(*j*) Two or more bodies may be transported with one person in charge.

EXPLOSIVES AND INFLAMMABLE ARTICLES.

Rule 16. (*a*) Explosives (including fireworks and other dangerous articles such as gasolene, matches, etc.), must be transported in baggage service.

(*b*) Passengers are cautioned against carrying dangerous articles such as matches, fireworks, gunpowder, cartridges, etc., in baggage. Section 286 of the Canadian Railway Act reads as follows: "No passenger shall carry, nor shall the company be required to carry upon its railway gunpowder, dynamite, nitroglycerine, or any other goods which are of a dangerous or explosive nature."

PERSONAL BAGGAGE ALLOWANCE.

Rule 17. (*a*) Subject to limitations as shown in Rules 19 and 20, one hundred and fifty (150) pounds of baggage, not exceeding one hundred dollars ($100) in value, will be checked without charge for each adult passenger, and seventy-five (75) pounds, not exceeding fifty dollars ($50) in value, for each child travelling on a half ticket.

(*b*) On "Around the World" tickets, subject to limitations shown in Rule 19, there will be checked without charge three hundred and fifty (350) pounds of baggage not exceeding one hundred dollars ($100) in value, for each adult passenger, and one hundred and seventy-five (175) pounds, not exceeding fifty dollars ($50) in value for each child travelling on a half ticket.

To secure above allowance, where passengers are en route to Trans-Atlantic or Trans-Pacific points, they must present, at time of checking, a through railroad ticket reading up to the Atlantic or Pacific coast port (as the case may be) and an order or ticket covering steamship transportation beyond, provided both the railroad ticket and the steamship order or ticket are stamped "Around the World." Where passengers, however, are returning to original starting point in the United States or Canada, only the presentation of railroad ticket from port of entry to destination (stamped "Around the World") will be required.

(*c*) On Trans-Pacific tickets (*i.e.* tickets reading to or from Trans-Pacific points and stamped "Trans-Pacific") subject to limitations shown in Rule 19, there will be checked without charge three hundred and fifty (350) pounds of baggage, not exceeding one hundred dollars ($100) in value for each adult passenger, and one hundred and seventy-five (175) pounds, not exceeding fifty dollars ($50) in value for each child travelling on a half ticket.

To secure the above allowance, where passengers holding such tickets are en route to Trans-Pacific points, they must present, at time of checking a through railroad ticket reading up to the Pacific coast port and an order or ticket covering steamship transportation beyond, provided both the railroad ticket and the steamship order or ticket are stamped "Trans-Pacific," "Coin Trans-Pacific," or "Domestic Trans-Pacific." Where passengers, however, are en route from Trans-Pacific points, only the presentation of railroad ticket from Pacific coast port to destination or to Atlantic port (stamped "Trans-Pacific") will be required.

(*d*) Articles specified in Rule 12 shall be included in the weight of passengers' baggage.

COMMERCIAL TRAVELLERS' BAGGAGE ALLOWANCE AND LIABILITY.

Rule 18. (*a*) Subject to limitations as shown in Rules 19 and 20, three hundred (300) pounds of sample and personal baggage will be checked free between points in Canada only, and then only on presentation of current year's Canadian commercial travellers' transportation privilege certificate (on which baggage privileges must be endorsed), together with commercial travellers' passage ticket, which must bear corresponding number. Unless otherwise specifically authorized by tariff, no special allowance beyond one hundred and fifty (150) pounds per ticket will be made commercial travellers presenting excursion, summer, tourist, convention or second-class tickets issued to the public, even though commercial travellers' certificate is presented with such ticket. A free allowance of not more than one hundred and fifty (150) pounds of sample and personal baggage will be granted any commercial traveller who is not a member of a recognized Canadian commercial travellers' association. Baggage must be checked only to destination (except where stop-over is allowed, or as per clause (*b*) of this rule), and via same route as passage ticket, and must be weighed each time checked. Only one ticket will be honoured in checking any one lot of sample baggage, except that when a commercial traveller is accompanied by an assistant who is solely in his employ, or that of the firm he represents, the authorized free allowance may be granted on each ticket.

(*b*) Commercial travellers presenting week-end tickets may have usual allowance of three hundred (300) pounds of sample baggage, and personal baggage checked free on going or return journey either to destination of ticket, or to an intermediate point, provided such point is on direct route of ticket.

(*c*) In consideration of special concessions granted to commercial travellers, the carrier will not be liable for any claim in respect of or consequent upon any loss of or damage or delay to any sample baggage or personal baggage transported for a commercial traveller as such whether the same is charged for as excess baggage or carried as free allowance.

LIMIT OF WEIGHT.

Rule 19. No single piece of baggage or other article of any class weighing more than 250 pounds (except immigrant baggage, checked at port of landing) will be accepted for transportation in regular baggage service.

EXCESS SIZE.

Rule 20. (*a*) For any piece of baggage or other article transported in regular baggage service any dimension of which exceeds forty-five (45) inches, there will be a charge for each inch in excess of forty-five (45) inches for each such dimension equal to the charge for five (5) pounds of excess weight, measurements to include gable or dome-shaped ends or similar protuberances.

(*b*) Any piece of baggage or other article, the greatest dimension of which exceeds seventy-two (72) inches will not be transported in regular baggage service.

(*c*) Exceptions: This rule will not apply to the following:—

(1) Baby carriages.

(2) Bicycles not in trunks.

(3) Toboggans and skis.

(4) Canoes.

(5) Steamer and invalids' chairs.

(6) Guns.

(7) Surveyors' tripods.

(8) Club paraphernalia.

(9) Tent poles.

(10) Trans-Pacific and Around the World baggage, when checked between points in Canada.

(11) Immigrant baggage checked at port of landing.

(12) Whips in flexible cases not exceeding ninety (90) inches in length, or twelve (12) inches in diameter at the base, or one hundred (100) pounds in weight.

(13) Public entertainment paraphernalia, except trunks containing wearing apparel for use on or off the stage.

(14) Fishing rods, properly encased.

EXCESS WEIGHT.

Rule 21. (*a*) Baggage or any other articles specified in Rule 12 weighing more than the free allowance will be charged for in accordance with carrier's current tariff.

(*b*) Charges for excess weight should be prepaid.

METHOD OF COMPUTING CHARGE FOR EXCESS WEIGHT, EXCESS SIZE AND MINIMUM CHARGE.

Rule 22. Should a single lot of baggage be of excess weight or excess size, or both, the total charge will be computed by adding 5 pounds per inch of excess size to the number of pounds of excess weight and multiply the total number of pounds so computed by the excess baggage rate per hundred.

The following illustrates the method of computation:—

(1) If a trunk is 47 inches long (and there is no excess weight) the extra charge would be computed on basis of 2 inches (10 pounds).

(2) If a trunk is 47 inches wide and 49 inches long (and there is no excess weight) the extra charge would be computed on basis of 6 inches (30 pounds), since two of the dimensions exceed 45 inches.

(3) If a trunk is 47 inches high, 48 inches wide and 49 inches long (and there is no excess weight) the extra charge would be computed on the basis of 9 inches (45) pounds as in that case three of the dimensions exceed 45 inches.

(4) If a trunk is 47 inches high, 48 inches wide and 49 inches long and there is 100 pounds excess weight, the extra charge would be computed on the basis of 9 inches (45 pounds for excess dimensions) and 100 pounds for excess weight, total 145 pounds.

The minimum collection for any shipment of excess baggage, either of excess weight or excess size or both, will be 25 cents.

No charge will be made for a fraction of an inch.

Charge for excess size must be made regardless of the number of tickets presented.

STORAGE.

Rule 23.—(*a*) Storage will be charged in accordance with current tariff on each piece of baggage or other articles carried in regular baggage service, either inbound or outbound, checked, or not checked, remaining at stations or wharves over twenty-four hours.

EXCEPTIONS.—(1) Baggage and other articles will be held free when received at any hour Saturday and claimed before same hour Monday following, or when received at any hour Sunday, and claimed before midnight Monday following. If not claimed within the time specified, storage will commence 24 hours after receipt of the baggage or other article. Dominion holidays will be treated same as Sundays. When a Dominion holiday falls on Saturday or Monday, or is observed on either of those days, the Sunday and the Dominion holiday combined will be treated the same as Sunday. No deduction will be made for Sundays or Dominion holidays after storage has begun.

(2) Sample baggage of commercial travellers holding current year's commercial travellers' transportation privilege certificates, arriving at stations in Canada after 1.00 P.M. Fridays, will be stored free of charge until midnight the Monday following.

(3) Storage charges will be waived on baggage belonging to Trans-Pacific and Around the World passengers while en route through Canada.

(*b*) On any such baggage or other articles delivered at stations or wharves under claim or identification checks which is reclaimed and not checked out, or for which valid transportation is not produced showing that the owner is a passenger, storage will be charged at rate as per current tariff, without any free time allowance.

(*c*) Such baggage or other articles in bond will be subject to storage charges when checked to and bonded on a station at which a customs officer is regularly on duty at train time. Such baggage and other articles in bond under other circumstances will not be subject to storage charges.

(*d*) After the expiration of 24 hours from the receipt of such baggage or articles in storage, the carrier shall be liable as a warehouseman only.

LOST DUPLICATE CHECKS.

Rule 24.—If passenger loses a duplicate baggage or parcel room check and can identify himself or herself to the satisfaction of the carrier as the owner of such baggage or article, it will be delivered on payment of charge in accordance with current tariff for lost duplicate check and on signing a lost duplicate check receipt. On return of lost check to carrier making collections amount collected will be refunded.

IDENTIFICATION CLAIM CHECKS.

Rule 25.—All baggage or other articles delivered at stations or wharves and not immediately checked to destination should bear a claim check or the baggagemen must be requested to issue an identification claim check when the baggage or other articles are received, otherwise no responsibility will be assumed by the carriers for such baggage or other articles left on their premises.

GENERAL RULES.

Rule 26.—(*a*) Any articles not specified in the foregoing rules shall not be carried in regular baggage service.

(*b*) Passengers should make memorandum of their baggage check numbers.

(*c*) In the case of baggage or other articles checked upon a through ticket at any point in Canada over any railway or railways subject to the legislative jurisdiction of the Parliament of Canada, other than the Intercolonial Railway and the National Transcontinental, the carrier checking such baggage or other articles, in addition to its other liability under these regulations, shall be liable to the extent provided for by these regulations for any loss, damage or injury to such baggage or other articles caused by or resulting from the act, neglect, or default of the connecting or other

carrier to which such baggage or other articles may be delivered in Canada, and from which the connecting or other carrier is not by these regulations or otherwise, by law relieved, and the carrier so checking the baggage or other articles shall be entitled to recover from the connecting or other carrier on whose line the loss, damage or injury shall have been sustained the amount of such loss, damage or injury as it (the checking carrier) may be required to pay under this regulation, as may be evidenced by any receipt, judgment or transcript thereof, and except as provided by this regulation the liability of the carriers for loss of or damage or delay to baggage or other articles checked to points beyond their lines shall cease as soon as such baggage or article is delivered to the next connecting carrier.

(*d*) In case of non-delivery of baggage or other articles checked, notice must be given in writing to the carrier at destination within twenty (20) days after arrival of passenger thereat. In case of damage or delay to baggage or other articles checked, or loss of any of the contents from a receptacle, such notice must be given within twenty (20) days after delivery of such baggage, article or receptacle, otherwise the carrier shall not be liable.

(*e*) Baggage and other articles carried under these regulations from Canadian to United States points and vice versa, must be examined by customs officer, or they will be held at the border. Passengers should attend to this personally.

(*f*) When any baggage or article is checked to a flag station it must be claimed by presenting duplicate check to train conductor or baggagemen; otherwise baggage will be forwarded to first station beyond where an agent is on duty and must be claimed at that station.

(*g*) All baggage and articles left unclaimed in baggage rooms for twelve months may be sold by public auction.

GENERAL ORDER No. 152.

In the Matter of the application of the Toronto Board of Trade for an Order disallowing the following schedules to apply on carload shipments of vegetables when loaded in refrigerator cars, namely, Supplement No. 5 to Grand Trunk Railway Tariff C.R.C. No. E-2859, Supplement No. 15 to Canadian Pacific Railway Tariff C.R.C. No. E-2715, and Supplement No. 2 to Canadian Northern Railway Tariff C.R.C. No. E-386. File 18855-8.

Upon the hearing of the matter at the sittings of the Board held in Ottawa, January 19, 1915, and the reading of what has been filed, and the report of the Chief Traffic Officer of the Board—

It is Ordered that the railway companies which supply refrigerator cars, at the request of the shippers, for the carriage of vegetables in carload lots, may publish and file tariffs providing for the following maximum tolls for the use of the said refrigerator cars, to be charged in addition to the tolls published and filed for the same movements in ordinary box cars, namely:—

For any distance not exceeding 300 miles, $3 per trip.

For any distance over 300 miles but not exceeding 500 miles, $5 per trip.

For any distance over 500 miles but not exceeding 750 miles, $6 per trip.

For any distance over 750 miles but not exceeding 1,000 miles, $7.50 per trip.

For any distance over 1,000 miles, $10 per trip.

Provided that the maximum toll between any two points both of which are east of the Detroit and St. Clair rivers, the Georgian Bay and Sudbury, Ont., including Sudbury, also between any two points both of which are west of Port Arthur, inclusive, do not exceed $7.50 per trip.

AND IT IS FURTHER ORDERED that any existing schedules in conflict with this order be, and they are hereby, disallowed.

(Sgd.) H. L. DRAYTON,
Chief Commissioner,
Board of Railway Commissioners for Canada.

OTTAWA, November 2, 1915.

GENERAL ORDER No. 153.

In the matter of Section 321 of the Railway Act and of the Orders of the Board dated March 3, 1904, and January 18, 1909.

File No. 25639.

It is ordered as follows, namely:—

1. That any proposed new issue of the Canadian Freight Classification, or any proposed Supplement to the issue then current, be submitted in printed proof form for the approval of the Board before it be made effective.

2. That should such proposed new issue or Supplement remove any goods from a lower to a higher class, or in any way increase the amount to be paid for carriage, notice of the submission thereof be published in the two next succeeding issues of the *Canada Gazette* in the following form:—

> Notice is hereby given that the Canadian Freight Association did on the..... day of..... 19..... submit to the Board of Railway Commissioners for Canada, for its approval, Canadian Freight Classification No..... (or Supplement No..... to Canadian Freight Classification No.....).

3. That the said proof show and include:—

(*a*) Under the heading of "Additions," articles not previously classified and the proposed ratings therefor, also new rules or regulations which it is proposed to add to the Classification.

(*b*) Under the heading of "Changes," proposed increased or reduced ratings, or changes in the existing rules or regulations, and in a parallel column those previously approved by the Board.

4. That the application to the Board be accompanied by:—

(*a*) Three copies of the said proof.

(*b*) The reasons, fully stated in manuscript for proposed changes involving increased transportation charges.

Publication in the *Canada Gazette*.

5. That at the same time one copy of the said proof, also of the said notice for publication, be furnished to the following bodies, with the request that fully explained objections, if any, to proposed changes involving increased transportation charges be filed with the Board of Railway Commissioners within thirty days from the receipt of the said proof and notice: The Canadian Manufacturers' Association, the Ontario Grocers' Guild, The Fruit Growers' Association of Ontario, The Montreal Chamber of Commerce, The Boards of Trade of Belleville, Ont., Berlin, Ont., Brantford, Ont., Brandon, Man., Brockville, Ont., Calgary, Alta., Chatham, Ont., Collingwood, Ont., Cornwall, Ont., Edmonton, Alta., Fort William, Ont., Fredericton, N.B., Galt, Ont., Guelph, Ont., Halifax, N.S., Hamilton, Ont., Kenora, Ont., Kingston, Ont., Lethbridge, Alta., London, Ont., Medicine Hat, Alta., Montreal, Que., Nelson, B.C., Ottawa, Ont., Owen Sound, Ont., Peterboro', Ont., Port Arthur, Ont., Prince Albert, Sask., Preston, Ont., Prince Rupert, B.C., Quebec, Que., Regina, Sask., St. Catharines, Ont., St.

Hyacinthe, Que., St. John, N.B., St. Thomas, Ont., Sarnia, Ont., Saskatoon, Sask., Sherbrooke, Que., Stratford, Ont., Three Rivers, Que., Toronto, Ont., Valleyfield, Que., Vancouver, B.C., Victoria, B.C., Waterloo, Ont., Windsor, Ont., Winnipeg, Man., Woodstock, Ont, also to the railway companies which are not members of the Canadian Freight Association.

H. L. DRAYTON,
Chief Commissioner.
Board of Railway Commissioners for Canada.

OTTAWA, November 4, 1915.

GENERAL ORDER No. 154.

In the matter of the application of C. Richardson & Company, of St. Mary's, Ont., hereinafter called the "Applicant", for a reduction in the classification of cream pasteurizers, in less than carload lots. File No. 26429.

Upon reading what is filed in support of the application and on behalf of the Canadian Freight Association; and upon the report and recommendation of the Traffic Officer of the Board:—

It is ordered:

That, pending a revision of the present Canadian Freight Classification, railway companies subject to the jurisdiction of the Board be, and they are hereby directed forthwith to publish and file commodity tariffs, to apply between all points in Canada, covering the following, namely:—

Cream or milk, aërators, agitators, coolers, forewarmers, heaters, pasteurizers, separate or combined.....L.C.L.
Loose or on skids.....1½
In boxes or crates.....1

(Sgd.) H. L. DRAYTON,
Chief Commissioner,
Board of Railway Commissioners for Canada.

OTTAWA, November 10, 1915.

GENERAL ORDER No. 155.

In the matter of the General Order of the Board No. 147, dated July 29, 1915, granting permission to the railway companies subject to, the jurisdiction of the Board to charge and collect a toll not exceeding 75 cents for cleansing and (or) disinfecting any car in which livestock has been carried when the said work is done by the railway companies; and that the said toll may lawfully be an addition to the charges, as published in the tariffs of the companies, for transportation of the livestock unloaded from the said cars.
File No. 26059.

Upon its appearing that there is some misunderstanding as to the scope of the Order as embodied in the tariffs filed; and that some of the railway companies at least, are of opinion that the Order authorized a charge for cleaning as distinct from disinfecting,—

It is ordered that the railway companies subject to the jurisdiction of the Board, publish and file amended tariffs showing a toll not exceeding 75 cents for cleaning and

disinfecting, or disinfecting, any car in which livestock has been carried when the said work is done by the railway companies; the said tariffs to carry a notation that the charge is to apply when, on account of Federal, provincial or municipal regulations, it is necessary to do the work in question.

(Sgd.) D'ARCY SCOTT,
Asst. Chief Commissioner,
Board of Railway Commissioners for Canada.

Ottawa, November 15, 1915.

GENERAL ORDER No. 156.

In the matter of the proposal that the profiles of railway companies subject to the jurisdiction of the Board whose lines commence, terminate, or intersect with any of the lines listed in the work entitled: "Altitudes in Canada," hereinafter referred to as "Altitudes," edited by James White, Assistant to the Chairman and Deputy Head of the Commission of Conservation, including the lines of the said companies which touch tidewater, be based upon mean sea level as provided in Altitudes.

File No. 26625.

Upon reading what is filed on behalf of the Canadian Pacific, Canadian Northern, Grand Trunk Pacific, and Grand Trunk Railway Companies, the said Companies consenting to the proposal, and the report and recommendation of the Chief Engineer of the Board:—

It is ordered:

That, on or before the 1st day of February, 1916, all railways of companies subject to the jurisdiction of the Board, which commence, terminate, or intersect any of the lines listed in Altitudes, as well as those which touch tidewater, be based upon mean sea level as provided in Altitudes.

(Sgd.) H. L. DRAYTON,
Chief Commissioner,
Board of Railway Commissioners for Canada.

Ottawa, January 18, 1916.

GENERAL ORDER No. 157.

In the matter of the proposal that the profiles of railway companies subject to the jurisdiction of the Board, whose lines commence at, terminate at, or intersect with, any of the lines listed in the work entitled "Altitudes in Canada," hereinafter referred to as "Altitudes," edited by James White, assistant to the chairman and Deputy Head of the Commission of Conservation, including the lines of the said companies which touch tidewater, be based upon mean sea level as provided in Altitudes.

File No. 26625.

Upon reading what is filed on behalf of the Canadian Pacific, Canadian Northern, Grand Trunk Pacific, and Grand Trunk Railway companies, the said companies consenting to the proposal, and the report and recommendation of the Chief Engineer of the Board:—

It is ordered:

1. That, on and after the 1st day of February, 1916, all profiles submitted by railway companies subject to the jurisdiction of the Board, which commence at, terminate

at, or intersect with any of the lines listed in Altitudes, as well as those which touch tidewater and are not listed, be based upon mean sea level, as provided in Altitudes.

2. That the General Order of the Board No. 156, dated January 18, 1916, made herein, be rescinded.

(Sgd.) H. L. DRAYTON,
Chief Commissioner.
Board of Railway Commissioners for Canada.

OTTAWA, January 31, 1916.

GENERAL ORDER No. 158.

In the matter of sections 321 and 348 of the Railway Act, and Express Classification for Canada.
File No. 25639.

Upon the recommendation of the Chief Traffic Officer of the Board—

It is ordered that the provisions of the General Order of the Board, No. 153, dated November 4, 1915, applicable to the Canadian Freight Classification and any proposed new issue of or supplement thereto, and to the Canadian Freight Association, shall apply to the Express Classification for Canada and to the Express Association of Canada, in so far as the provisions of the said General Order can be made applicable.

(Sgd.) H. L. DRAYTON,
Chief Commissioner,
Board of Railway Commissioners for Canada.

OTTAWA, February 15, 1916.

GENERAL ORDER No. 159.

In the matter of the application of the Brotherhood of Locomotive Engineers and the Brotherhood of Locomotive Firemen and Enginemen for an order prohibiting the railway companies subject to the jurisdiction of the Board from placing and leaving cars on main tracks at any point (in yards or otherwise) on any railway during the hours of darkness, without lights placed upon such cars.
File No. 4135-21.

Upon reading what is filed in support of the application and on behalf of the railway companies, and the report and recommendation of the Chief Operating Officer of the Board—

It is ordered that the following be added to Rule 93 of the train rules designated as the Uniform Code for Canadian Railways, approved by the order of the Board, No. 7563, dated July 12, 1909, namely:—

> By night or in foggy or stormy weather proper lights must be placed on cars or engines obstructing main tracks within yard limits.

(Sgd.) H. L. DRAYTON,
Chief Commissioner,
Board of Railway Commissioners for Canada.

OTTAWA, February 18, 1916.

GENERAL ORDER No. 160.

In the matter of the General Order of the Board No. 95, dated November 2, 1912, requiring railway companies, subject to the jurisdiction of the Board, to file copies of any embargo issued against any traffic; and in the matter of the application of the Canadian Northern Railway Company for a ruling as to whether embargo notices given to shippers on its lines as a result of an embargo placed on joint traffic by a connecting carrier should be reported to the Board.
File No. 19801.

Upon reading what is filed, and the report of the Chief Operating Officer of the Board—

It is ordered:—

That railway companies subject to the jurisdiction of the Board be, and they are hereby, directed to report to the Board, embargoes of any kind, within the time and as provided by the said General Order No. 95, whether such embargoes are placed by companies subject to the jurisdiction of the Board, or by any carrier having connections with them.

And it is further ordered:—

That every such railway company report to the Board by telegram, with all possible despatch, all accidents, failures, and obstructions on or to the railway, or to engines or rolling stock or other facilities, as a result of which the usual railway operations in any district or at any point will be delayed or impeded for a longer period than 24 hours; the nature of the occurrence creating such a situation; the steps taken to remedy it, and the time necessary to restore the railway sufficient for the requirements of ordinary and regular traffic.

(Sgd.) H. L. DRAYTON,
Chief Commissioner,
Board of Railway Commissioners for Canada.

OTTAWA, February 24, 1916.

GENERAL ORDER No. 161.

In the matter of the complaint of the Brotherhood of Locomotive Engineers alleging that the Canadian Pacific and Canadian Northern Railway Companies have wilfully violated the flagging rules in force on their respective systems in the operation of trains in Western Canada; and applying for the adoption of certain regulations by the Board, having in view the protection of employees of the railway companies subject to the jurisdiction of the Board.
File No. 4135.25.

Upon reading the communications and submissions filed on behalf of certain of the railway companies interested and the complainants, and the report and recommendation of the Chief Engineer and the Chief Operating Officer of the Board, after a conference between the Board's officers and representatives of the Grand Trunk, Grand Trunk Pacific, Canadian Pacific, Canadian Northern, and Toronto, Hamilton and Buffalo Railway companies, the Michigan Central Railroad company, the complainants, the Brotherhood of Locomotive Firemen and Enginemen, the Brotherhood of Railroad Trainmen, the order of Railroad Conductors, the order of Railway Telegraphers, and the International Brotherhood of Maintenance of Way Employees, held in the City of Toronto on the 4th day of August, 1915, upon notice to the parties in interest, and in pursuance of the powers conferred upon it under sections 26, 30, 268 and 269 of the Railway Act, and of all other powers possessed by the Board under the said Act—

SESSIONAL PAPER No. 20c

It is Ordered:—

That the following regulations for the Uniform Maintenance of Way Flagging Rules for Impassable Track, to become effective March 1, 1916, be, and they are hereby, prescribed for the observance of every railway company within the legislative authority of the Parliament of Canada:—

RULES.

1. When the track is found to be impassable due to any obstruction or defect, or before undertaking any work which will render it impassable, trackmen, bridgemen, or other employees of the company shall protect the same as follows:—

2. On all mountain subdivisions—

By day, place a red flag supported on two staffs, with flag drawn out between them, at right angles to the track and five feet above rail level; and in addition, by night, a red light on the same side of the track as the engineer of an approaching train, at a point 600 feet, in both directions, from the defective or working points, with two torpedoes placed on the rail, opposite each other, so as to cause but one explosion, 150 feet in advance of the red signal. Such red signal shall be changed to green and the torpedoes removed as soon as the work will permit; and the said green signal shall be displayed until other protection signals are withdrawn; and send out a flagman in each direction with stop signals at least—

1,500 feet in daytime, if there is no down grade towards the obstruction within one mile, and there is a clear view of 6,000 feet from an approaching train.

3,600 feet at other times and places, if there is no down grade towards the obstruction within one mile.

5,400 feet if there is a down grade towards the obstruction within one mile.

The flagman must, after going the required distance from the obstruction to insure full protection, take up a position where there will be an unobstructed view of him from an approaching train, if possible, 1,500 feet, first placing two torpedoes on the rail (not more than 200 or less than 100 feet apart), on the same side as the engineer of an approaching train, 300 feet beyond such position. The flagman must display a red flag by day and a red light by night, and remain in such position until recalled or relieved.

3. On all main lines and on the portions of branch lines over which main line traffic is handled—

Send out a flagman in each direction with stop signals at least—1,500 feet in daytime, if there is no down grade towards the obstruction within one mile, and there is a clear view of 6,000 feet from an approaching train.

3,600 feet at other times and places, if there is no down grade towards the obstruction within one mile.

5,400 feet if there is a down grade towards the obstruction within one mile.

The flagman must, after going the required distance from the obstruction to insure full protection, take up a position where there will be an unobstructed view of him from approaching train of, if possible, 1,500 feet, first placing two torpedoes on the rail (not more than 200 or less than 100 feet apart) on the same side as the engineer of an approaching train, 300 feet beyond such position. The flagman must display a red flag by day and a red light by night, and remain in such position until recalled or relieved.

4. On all other branch lines—

(*a*) A flagman must be sent out in each direction, who shall place a red flag supported on two staffs, with flag drawn out between them, at right angles to the track and five feet above rail level; and in addition a red light by night, on the same side of the track as the engineer of an approaching train, at a point 600 feet from the defective or working point, with two torpedoes placed on the rail opposite each other, so as to cause but one explosion 150 feet in advance of the red signal. Such

red signal shall be changed to green and the torpedoes removed as soon as the work will permit, and the said green signal shall be displayed until other protection signals are withdrawn; and provide further protection as follows:—

(*b*) By day, place a flag supported on two staffs, with flag drawn out between them, at right angles to the track and five feet above rail level; and in addition a red light by night, on the same side of the track as the engineer of an approaching train, so that it will be clearly in his view at least:—

3,600 feet from the defective or working point, if there is no down grade towards the obstruction.

5,400 feet if there is a down grade within one mile of the obstruction, or as much further as may be necessary to insure full protection.

(*c*) Place two torpedoes (not more than 200 feet or less than 100 feet apart) on the rail on the same side as the engineer of an approaching train, 300 feet in advance of the red signal.

5. Trains stopped by flagman, as per Rule 2, shall be governed by his instructions and proceed to the working point signal and there be governed by signal or instructions of the foreman in charge, unless in the meantime stop signal has been removed and proceed signal displayed.

6. Trains stopped by flagman, as per Rule 3, shall be governed by his instructions and proceed to the working point, and there be governed by signal or instructions of the foreman in charge.

7. Trains stopped by flagman, as per Rule 4, shall replace the torpedoes exploded and proceed to the working point signal, and from there shall be governed by the signal or instructions of the foreman in charge, unless in the meantime stop signal has been taken down and proceed signal displayed.

8. In the event of train order protection being provided yellow flags by day and, in addition, yellow lights by night may be used as markers without torpedoes on the rail placed 3,600 feet from the defective or working point, and in addition red signals, in both directions, 600 feet from the defective or working point.

9. When weather or other conditions obscure day signals, night signals must be used in addition.

And it is further ordered:—

That the foregoing rules be printed in the working time tables of the said railway companies for the guidance of enginemen and trainmen.

(Sgd.) H. L. DRAYTON,
Chief Commissioner,
Board of Railway Commissioners for Canada.

OTTAWA, February 23, 1916.

GENERAL ORDER No. 162.

In the matter of the application of the Canadian Pacific Railway Company for approval of the conditions on its telegraph form;

And in the matter of the order of the Board, No. 12745, dated January 9, 1911, temporarily approving the forms of contract used by the Canadian Pacific Railway Company's telegraphs, the Great Northwestern Telegraph company of Canada, the Canadian Northern Telegraph company, the Northern American Telegraph company, the Western Union Telegraph company, the Anglo-American Telegraph company, the White Pass and Yukon route, the Marconi Wireless Telegraph company and the Grand Trunk Pacific Telegraph company, and other companies subject to the jurisdiction of the Board.

File No. 13622.

Upon hearing the parties concerned at the sittings of the Board, held in Ottawa on April 20 and November 15, 1910, and considering what was submitted in writing

(this matter having been allowed to remain in abeyance till the investigation into telegraph rates was concluded)—

It is ordered that the conditions on the telegraph forms used by telegraph companies subject to the jurisdiction of the Board on which messages to be transmitted are to be written, be, and they are hereby, approved, as follows, namely:—

"It is agreed between the sender of the message on the face of this form and this company that said company shall not be liable for damages arising from failure to transmit or deliver, or for any error in the transmission or delivery of any unrepeated telegram, whether happening from negligence of its servants or otherwise, or for delays from interruptions in the working of its lines, for errors in cypher or obscure messages, or for errors from illegible writing beyond the amount received for sending the same.

"To guard against errors, the company will repeat back any telegram for an extra payment of one-half the regular rate, and, in that case, the company shall be liable for damages suffered by the sender to an extent not exceeding $200, due to the negligence of the company in the transmission or delivery of the telegram.

"Correctness in the transmission and delivery of messages can be insured by contract in writing, stating agreed amount of risk, and payment of premium thereon at the following rates, in addition to the usual charge for repeated messages, viz: one per cent for any distance not exceeding 1,000 miles, and two per cent for any greater distance.

"This company shall not be liable for the act or omission of any other company, but will endeavour to forward the telegram by any other telegraph company necessary to reaching its destination, but only as the agent of the sender and without liability therefor. The company shall not be responsible for messages until the same are presented and accepted at one of its transmitting offices; if a message is sent to such office by one of the company's messengers he acts for that purpose as the sender's agent; if by telephone, the person receiving the message acts therein as agent of the sender being authorized to assent to these conditions for the sender. This company shall not be liable in any case for damages, unless the same be claimed, in writing, within sixty days after receipt of the telegram for transmission.

"No employee of the company shall vary the foregoing."

(Sgd.) H. L. DRAYTON,
Chief Commissioner,
Board of Railway Commissioners for Canada.

OTTAWA, March 30, 1916.

GENERAL ORDER No. 163.

In the matter of the consideration by the Board of the applications of the telegraph companies for approval of their tariffs of tolls within the territory west of Sudbury, Ontario, and between points east of Sudbury and points west thereof in both directions; and of the applications of the Winnipeg Board of Trade and the Winnipeg Grain Exchange that the said tolls into and out of the city of Winnipeg be not approved.

File No. 10041.2.

Upon hearing the matter at various sittings of the Board held in the presence of Counsel for and representatives of the telegraph companies affected, the Dominion Government, the Winnipeg Grain Exchange, the Boards of Trade of Winnipeg,

Brandon, Regina, Vancouver, Victoria, Nelson, Saskatoon, Edmonton, Toronto, and Montreal, the Associated Board of Trade of Western Canada, and the Canadian Manufacturers' Association, the evidence adduced, and what was alleged, judgment, dated March 28, 1916, was delivered by Mr. Commissioner McLeen and concurred in by the other members of the Board, a certified copy of the said judgment being attached hereto marked "A."

It is ordered that the terms of the judgment, which is hereby made part of this Order, and the tariff changes therein directed to be made, be complied with and become effective not later than the 1st day of July, 1916.

(Sgd.) H. L. DRAYTON,
Chief-Commissioner,
Board of Railway Commissioners for Canada.

OTTAWA, March 31, 1916.

CIRCULAR No. 142.

April 17, 1915.

File 22223. Hand Rails and Foot Rests on Cabs and Tenders of Locomotives.

At a preliminary conference held in Ottawa on Thursday, April 8 last, between representatives of the Brotherhood of Locomotive Engineers, the Brotherhood of Locomotive Firemen and Enginemen, the principal railways, and the Operating Department of the Board, the question of hand rails on cabs of locomotives and foot rests around same at the same elevation as the running boards was discussed, but no agreement was reached, and I am now directed to inform you that at the sittings of the Board to be held in Ottawa on Tuesday May 4 next, commencing at ten o'clock in the forenoon, the Board will consider the representation of all parties interested in the matter of requiring hand rails to be placed on cabs of locomotives and foot rests around same at the same elevation as the running board; also hand rails on tenders of certain types of locomotives.

By order of the Board.

A. D. CARTWRIGHT,
Secretary.

SUPPLEMENT No. 1 TO CIRCULAR No. 142.

July 6, 1915.

File 22223. Hand Rails and Foot Rests on Cabs and Tenders of Locomotives.

This matter was considered by the Board at its sitting in Ottawa, on May 4 last, when judgment was reserved.

I am now directed by the Board to state that railway companies within its jurisdiction are required, within thirty days of the receipt of this Circular, to show cause why an Order should not issue directing that hand rails and small foot rests be placed on the outside of cabs of locomotives, also a railing on the tender to prevent men from slipping off when they are passing over the tender or when the locomotive is taking coal or water, such appliances to be provided on all steam locomotives not later than January 1, 1917.

By Order of the Board.

A. D. CARTWRIGHT,
Secretary.

SESSIONAL PAPER No. 20c

CIRCULAR No. 143.

July 8, 1915.

To Electric Power Transmission Lines.

Re insulators on high tension electric power transmission lines at railway crossings.

You are hereby directed to file with the Board on or before August 7, 1915, reasons, if any, why the following Order should not go into effect on that date:—

All the insulators at wire crossings which are operated at a potential of 10,000 volts, or over, are to be renewed, or tested, and reported upon on or before November 1, 1915, and until further notice at least once annually, thereafter.

The following information will be required in the form of a report upon each crossing:—

1. State the location of the crossing.
2. State the operating voltage between:
   (*a*) (1) Conductor.....volts. (2) Conductors and ground volts.
   (*b*) " " " "
   (*c*) " " " "
3. State the number of insulators (complete units).
   (*a*) Type.. .. .. No.
   (*b*) " .. .. "
   (*c*) " .. .. "
4. When and where were the insulators last tested?
   (*a*) Date.. .. .. Place.. .. ..
   (*b*) " .. .. " .. ..
   (*c*) " .. .. " .. ..
   (*d*) " .. .. " .. ..
   (*e*) " .. .. " .. ..
5. To what tests were they subjected?
   (*a*)
   (*b*)
   (*c*)
   (*d*)
   (*e*)

Signature.. .. ..

Head Office.. .. ..

Date.. .. ..

By Order of the Board.

A. D. CARTWRIGHT,
Secretary.

CIRCULAR No. 144.

September 29, 1915.

File No. 22879. Notification to Shippers of non-delivery of freight.

I am directed by the Board to request that railway companies subject to its jurisdiction advise what is the practice or rule followed by them in regard to notifying shippers of the refusal, or non-delivery, of freight at destination.

By Order of the Board.

A. D. CARTWRIGHT,
Secretary.

CIRCULAR No. 145.

January 10, 1916.

File No. 16291. Standardization of height of passenger car steps and of the elevation of station platforms.

I am directed by the Board to ask that railway companies subject to its jurisdiction show cause, in writing, within thirty days of the receipt of this circular, why they should not be required to provide a standard elevation of five inches above the top of the rail for station platforms hereafter constructed or repaired, also that on equipment hereafter constructed or repaired a standard elevation of fourteen inches from the top of the rail to the tread of the lowest step should not be adopted.

By Order of the Board.

A. D. CARTWRIGHT,
Secretary.

CIRCULAR No. 146.

January 20, 1916.

Re Plans.

I am directed by the Board to call your attention to the fact that from time to time the Registrars in the Land Titles Offices throughout the Dominion have requested the Board to require all plans for filing in the Registry Office to be made on tracing linen, or if they be prints, that they should be made on cloth. Hereafter the Board will require from the railway companies that the copy of any plan for filing in the Registry Offices throughout the Dominion, shall be on tracing linen or on cloth, and asks that the companies govern themselves accordingly.

By order of the Board.

A. D. CARTWRIGHT,
Secretary.

CIRCULAR No. 147.

OTTAWA, January 26, 1916.

File 4741-F, Part 4—Re Fire Reports.

I am directed to advise you that the Board has under consideration the advisability of revising Circular No. 133, dated May 5, 1914. Under this circular, railway companies are required to submit monthly, in duplicate, reports on fires originating within 300 feet of the track and burning over an area of 100 square feet or more outside the right of way, in territory classified as forest sections.

It is now proposed that the requirements shall be extended to cover the submission of such reports as to all fires *occurring* within 300 feet of the track, regardless of size, with the exception of fires purposely set by railway employees, and which do not escape from the right of way.

As to fires which originate more than 300 feet from the track, it is proposed that complete information be not required, but that any available information be shown on the report form, supplemented by the notation "Burned in from the outside."

In this general connection, the following points have been raised.

1. The proposed added requirement is that reports be submitted covering all incipient fires, as well as available information as to fires burning in from outside the 300-foot strip on either side of the track. On a large percentage of the railway mileage subject to the Board's jurisdiction, such reports are now submitted by the

employees of the respective companies, and the submission of these reports to the Board would presumably not involve any very material additional trouble or expense.

2. A record of incipient fires extinguished can only be to the credit of the respective railways. In many cases, fires are due to outside causes, such as settlers, tramps, etc. A full record in such cases will be of material assistance in securing the co-operation of the governmental agencies concerned, in abating the danger due to these causes.

3. Fire reports will be required only as to lines or portions of lines roughly classified as forest sections, and during the period from April 1 to November 30, inclusive, of each year. These reports will be privileged, as in the past.

I am directed to request that you advise the Board within 30 days, in case you desire to offer any suggestions concerning the above proposal to modify Circular No. 133.

Yours truly,

A. D. CARTWRIGHT,

Secretary.

CIRCULAR No. 148.

March 24, 1916.

File 4741-F, Part 4—Re Fire Reports.

I am directed to advise you that, in view of the replies received from some of the railway companies to Circular No. 147, the Board has decided to drop, for the present, the proposals contained in said circular relative to the amendment of Circular No. 133.

The Board requests, however, as a matter of co-operation, that railways affected by Circular No. 133 shall forward to the Chief Fire Inspector such information as may be available, from time to time, relative to fires occurring within 300 feet of the track, in forest sections, not required by said circular to be reported to the Board. On this basis, no change is called for in existing instructions to section men and other field employees. It is understood that, in many cases, railways receive reports, under existing instructions to their employees, of fires which are not covered by Circular No. 133. Such additional information as may be received in this way can be made available for the use of the Board without any added burden upon the railways aside from relatively small amount of clerical work involved in making the necessary copies.

Such reports should be forwarded in duplicate, using the same forms as are now used in reporting fires under Circular No. 133. Where sufficient information is not available to fill out the form completely, missing data may be omitted. This will apply particularly to fires originating more than 300 feet from the track, where a detailed investigation is not expected, and where the principal object of the Board is to account definitely for the burned area near the track, as well as to afford a basis for further investigation by the Board's inspectors, if circumstances justify such action. As to fires confined wholly to the right of way it is, of course, expected that reports will be submitted only in case of accidental origin.

Kindly acknowledge receipt hereof.

Yours truly,

A. D. CARTWRIGHT,

Secretary.

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BEING SOME OF THE PRINCIPAL JUDGMENTS ISSUED BY THE BOARD.

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TELEPHONE STATISTICS

OF THE

DOMINION OF CANADA

FOR THE

YEAR ENDED JUNE 30

1916

PRINTED BY ORDER OF PARLIAMENT

OTTAWA
PRINTED BY J. DE L. TACHÉ,
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1917

[No. 20*d*—1917]

To His Excellency the Duke of Devonshire, K.G., P.C., G.C.M.G., G.C.V.O., etc., etc., Governor General and Commander in Chief of the Dominion of Canada.

May it please Your Excellency:

The undersigned has the honour to present to Your Excellency the Annual Report of the Comptroller of Statistics in relation to the telephone interests of the Dominion of Canada for the year ended June 30, 1916.

F. COCHRANE,

Minister of Railways and Canals.

To the Honourable F. COCHRANE,

Minister of Railways and Canals.

SIR,—I have the honour to submit the report of the Comptroller of Statistics in relation to the telephone interests of the Dominion of Canada for the year ended June 30, 1916.

I have the honour to be, sir,

Your obedient servant,

A. W. CAMPBELL,

Deputy Minister of Railways and Canals.

OFFICE OF THE COMPTROLLER OF STATISTICS,
OTTAWA, January 28, 1916.

A. W. CAMPBELL, Esq., C.E.,

Deputy Minister of Railways and Canals.

SIR,—I have the honour to submit herewith Telephone Statistics for the year ended June 30, 1916.

The number of reports received increased from 1,396 in 1915 to 1,592 in 1916. The additions consisted chiefly of co-operative organizations.

ORGANIZATION.

Number and character of reporting units:—

Province.	Government.	Municipal.	Stock.	Co-operative.	Partnership.	Private.	Total.
Nova Scotia			24	106	2	7	139
New Brunswick			20	5	2	2	29
Prince Edward Island			5	25			30
Quebec			69	54	2	37	162
Ontario	1	54	163	210	15	59	502
Manitoba	1	6	6	17	2	5	37
Saskatchewan	1	5	318	344			668
Alberta	1	1	5	3			10
British Columbia		1	11	1		1	14
Yukon			1				1
Total	4	67	622	765	23	111	1,592

Classes of organization:—

	1913.	1914.	1915.	1916.
Government	4	4	4	4
Municipal	52	58	62	67
Stock	543	611	584	622
Co-operative	262	297	601	765
Partnership	63	48	28	23
Private	151	118	117	111
Total	1,075	1,136	1,396	1,592

Reporting units by provinces:—

Province.	1911.	1912.	1913.	1914.	1915.	1916.
Nova Scotia	14	12	83	83	123	139
New Brunswick	16	17	25	24	26	29
Prince Edward Island	1	1	1	1	27	30
Quebec	32	62	101	127	145	162
Ontario	319	369	451	468	492	502
Manitoba	3	3	35	38	38	37
Saskatchewan	143	206	361	369	520	668
Alberta	4	3	3	9	10	10
British Columbia	5	10	15	16	14	14
Yukon	0	0	0	1	1	1
Total	537	683	1,075	1,136	1,396	1,592

In Manitoba and Alberta, telephone service is almost wholly carried on by the provincial governments. In Saskatchewan the government operates in all the principal centres of population; but throughout the rural districts there are more than 660 independent lines on a co-operative basis.

CAPITALIZATION AND COST.

There was an increase in capitalization for the year of $2,635,322.86. The facts for 1916 and four preceding years follow:—

	1912.	1913.	1914.	1915.	1916.
	$ cts.	$ cts.	$ cts.	$ cts	$ cts.
Stocks	21,533,605 09	26,590,501,39	28,644,340 00	28,947,122 02	29,416,956 28
Funded debt	24,743,246,65	33,256,503 44	41,647,544 15	45,337,869 49	47,503,358 09
Total	46,276,851 74	59,847,004 83	70,291,884 15	74,284,991 51	76,920,314 37

Capitalization by provinces:—

Province.	Stocks 1916.	Funded Debt. 1916.	Total 1916.	Total 1915.	Total 1914.
	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
Nova Scotia	1,929,243 56	1,502,355 00	3,431,598 56	3,427,218 37	3,086,261 70
New Brunswick	1,456,432 98	63,150 00	1,519,582 98	1,458,877 81	1,421,244 87
Prince Edward Island	112,362 31	51,000 00	163,362 31	160,496 31	200,000 00
Quebec	19,453,040 74	11,866,523 36	31,319,564 10	31,080,002 04	30,950,074 39
Ontario	2,089,924 55	2,012,698 44	4,102,622 99	3,698,693 32	3,309,203 80
Manitoba	23,177 29	11,103,025 96	11,126,203 25	10,750,994 50	10,555,797 82
Saskatchewan	914,844 00	7,132,961 60	8,047,805 60	6,944,670 62	6,113,992 41
Alberta	125,244 00	11,258,560 40	11,383,804 40	10,927,684 12	8,875,205 33
British Columbia	3,247,686,85	2,513,083 33	5,760,770 18	5,771,354 42	5,715,103 83
Yukon	65,000 00		65,000 00	65,000 00	65,000 00
Total	29,416,956 28	47,503,358 09	76,920,314 37	74,284,991 51	70,291,884 15

Allowance should be made for the fact that the Bell Telephone Company, which has its chief operations in Ontario, is unavoidably credited to Quebec. The headquarters of the company are in that province.

Cost of telephone interests:—

	1913.	1914.	1915.	1916.
	$ cts.	$ cts.	$ cts.	$ cts.
Nova Scotia	3,323,901 72	3,505,155 94	3,362,778 72	3,727,335 93
New Brunswick	1,653,722 11	1,742,697 05	1,823,367 43	1,928,804 78
Prince Edward Island	150,000 00	179,095 06	220,332 35	254,982 46
Quebec	33,002,264 17	37,234,492 02	38,590,730 66	40,190,775 67
Ontario	4,250,730 45	4,747,077 76	5,197,066 52	5,503,712 17
Manitoba	9,607,506 91	10,560,084 26	10,758,230 08	11,137,814 84
Saskatchewan	5,143,663 03	6,100,463 41	6,886,793 62	7,984,303 60
Alberta	6,472,098 13	9,671,700 52	10,351,912 38	10,820,920 45
British Columbia	5,611,084 93	6,347,410 20	6,431,191 52	6,801,190 54
Yukon		170,179 78	170,179 78	170,179 78
Total	69,214,971 45	80,258,356 00	83,792,583 06	88,520,020 22

The cost was equal to $161.53 per telephone in 1916, as against $157.21 in 1915.

EARNINGS AND OPERATING EXPENSES.

Comparison of 1915 and 1916:—

Province.	1915.		1916.	
	Earnings.	Operating Expenses.	Earnings.	Operating Expenses.
	$ cts.	$ cts.	$ cts.	$ cts.
Nova Scotia	674,464 69	419,951 16	756,165 88	509,601 25
New Brunswick	478,887 08	265,157 75	517,831 34	294,831 90
Prince Edward Island	49,100 46	42,803 19	81,501 39	50,332 34
Quebec	9,824,437 02	7,495,188 28	10,344,231 76	5,811,941 46
Ontario	978,206 05	637,287 96	1,042,729 36	681,725 92
Manitoba	1,850,997 49	1,422,062 20	1,903,446 54	1,353,984 46
Saskatchewan	916,960 82	616,127 52	1,108,867 60	648,952 90
Alberta	1,136,312 76	641,694 92	1,292,034 79	683,437 01
British Columbia	1,653,394 22	1,282,744 57	1,511,388 84	1,092,935 70
Yukon	38,912 27	13,768 12	36,070 35	19,457 92
Total	17,601,672 86	12,836,715 12	18,594,267 85	11,147,200 86

The difference between gross earnings and operating expenses in 1916 was $7,447,066.99 as compared with $4,764,957.70 in 1915. Slightly over $2,000,000 of this increase arose from the elimination from operating expenses in 1916 of sinking fund charged thereto by the Bell Telephone Company.

INCOME ACCOUNT.

From units capitalized at $25,000 and over:—

Gross revenue	$13,130,974 03	
Operating expenses	7,242,470 81	
Net operating revenue		$5,888,503 22
Additions:		
Outside operations	$	
Rents	8,882 45	
From securities held	24,436 00	
Other income	218,522 68	
		251,841 13
Gross corporate income		$6,140,344 35
Deductions:		
Taxes	$ 346,821 53	
Interest on bonds	904,570 66	
Other deductions	75,134 19	
		1,326,526 38
Net corporate income		$4,813,817 97
Disposal of net income:		
Dividends—common	$1,741,182 34	
" —preferred	124,075 75	
Sinking funds	2,213,504 21	
Reserves	351,878 01	
		4,430,640 31
Balance		$ 373,177 66

The large increase in sinking fund in 1916 is due to the fact given in a preceding paragraph with respect to the Bell Telephone Company. That company, it should be explained, had charged $2,080,000, as depreciation to operating

expenses; but under the scheme of accounting prescribed by the department this charge was transferred to sinking fund in Income Account.

EQUIPMENT.

Classification of telephones by provinces:—

Province.	Central energy.	Magneto.	Total 1916.	Total. 1915.	Total. 1914.	Total. 1913.
Nova Scotia	14,437	8,812	23,249	21,225	20,239	18,276
New Brunswick	10,414	8,361	18,775	17,517	16,473	14,508
Prince Edward Island	1,313	1,038	2,351	2,244	1,574	1,540
Quebec	65,686	30,954	96,640	92,492	91,047	81,913
Ontario	136,650	112,330	248,980	239,607	232,456	208,022
Manitoba	29,410	18,493	47,903	47,279	49,146	44,958
Saskatchewan	9,906	20,314	30,220	29,892	26,023	23,756
Alberta	18,269	16,757	35,026	36,749	37,118	30,194
British Columbia	37,024	7,898	44,922	45,730	46,713	40,504
Yukon		355	355	355	355	
Total	323,109	225,312	548,421	533,090	521,144	463,671

There was one telephone in service for every 14·6 persons, as compared with 15·1 in 1916.

Wire mileage by classes:—

Classes of Wire.	1915.			1916.		
	Urban.	Rural.	Total.	Urban.	Rural.	Total.
	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.
Galvanized	28,230 52	373,392 97	401,623 49	29,419 12	406,620 67	436,039 79
Copper	21,001 01	60,236 33	81,237 34	17,836 71	63,379 14	81,215 85
Cable—overhead	358,714 93	8,520 83	367,235 76	395,042 27	4,013 50	399,055 77
underground	600,212 53	149 50	600,362 03	682,117 51	145 75	682,263 26
submarine	987 80	913 40	1,901 20	949 05	1,040 14	1,989 19
Total	1,009,146 79	443,213 03	1,452,359 82	1,125,364 66	475,199 20	1,600,563 86

Wire mileage by provinces:—

Province.	1915.			1916.		
	Urban.	Rural.	Total.	Urban.	Rural.	Total.
	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.
Nova Scotia	25,214 00	15,397 25	40,611 25	26,869 00	16,064 75	42,933 75
New Brunswick	18,448 17	9,403 80	27,851 97	19,330 22	9,922,44	29,252 66
Prince Edward Island	1,623 00	1,984 00	3,607 00	1,304 14	2,357 20	3,661 34
Quebec	182,726 00	69,517 55	252,243 55	245,921 90	59,693 30	305,615 20
Ontario	395,635 27	177,866 93	573,502 20	423,054 95	180,516 55	603,616 50
Manitoba	108,340 50	62,313 00	170,653 50	109,688 00	64,652 75	174,340 75
Saskatchewan	51,330 00	52,648 00	103,978 00	61,330 00	85,312 75	146,642 75
Alberta	103,818 00	42,592 00	146,410 00	102,905 85	45,070 46	147,976 31
British Columbia	121,779 75	11,123 50	132,903 25	134,728 50	11,197 00	145,925 50
Yukon	232 10	367 00	599 10	232 10	367 00	599 10
Total	1,009,146 79	443,213 03	1,452,359 82	1,125,364 66	475,199 20	1,600,563 86

EMPLOYEES.

Comparison of numbers and remuneration:—

Province.	1915.		1916.	
	Number.	Remuneration.	Number.	Remuneration.
		$ cts.		$ cts.
Nova Scotia	769	294,001 17	808	277,886 35
New Brunswick	451	161,460 57	531	176,738 00
Prince Edward Island	96	20,974 07	89	22,430 88
Quebec	3,723	1,924,682 23	3,681	1,780,005 19
Ontario	6,620	3,272,428 66	6,626	3,237,714 23
Manitoba	1,174	832,315 82	1,239	767,107 32
Saskatchewan	556	442,997 60	774	399,025 00
Alberta	680	616,062 37	597	512,636 78
British Columbia	996	781,058 32	913	666,166 15
Yukon	7	11,048 46	7	13,009 51
Total	15,072	8,357,029 27	15,247	7,852,719 41

SUMMARY.

The following table will afford a concise view of facts relating to the telephone interests of Canada since statistical information was available:—

	1911.	1912.	1913.	1914.	1915.	1916.
	$	$	$	$	$	$
Capitalization	40,043,982 29	46,276,851 74	59,847,004 83	70,291,884 15	74,284,991 51	76,920,314 37
Cost	34,737,529 95	56,887,799 15	69,214,971 45	80,258,356 00	83,792,583 06	88,520,020 22
Revenue	10,068,220 03	12,273,626 66	14,879,278 23	17,297,268 98	17,601,672 86	18,594,267 85
Operating Expenses	6,979,045 06	9,094,688 82	11,175,689 47	12,882,402 32	12,836,715 12	11,147,200 86
Remuneration	915,636 14	2,659,641 63	6,839,308 85	8,250,253 19	8,357,029 27	7,852,719 41
Telephone Companies	537	683	1,075	1,136	1,396	1,592
Wire Mileage	687,728	889,572	1,092,586	1,343,090	1,452,360	1,600,564
Telephones	302,759	370,884	463,671	521,144	533,090	548,421
Employees	10,425	12,783	12,867	16,799	15,072	15,247
Persons per telephone	23·8	19·3	16·2	15·5	15·1	14·6
Persons per mile of wire	10·4	8·1	6·8	6·0	5·6	5·0

Information in detail, by reporting units and provinces, will be found in the tables making up the body of this report.

I have the honour to be, sir,

Your obedient servant,

J. L. PAYNE,

Comptroller of Statistics.

TABLE 1.—Statement of Capital, Cost, Revenue, Operating Expenses, Number of Telephones, Employees, etc.

Name of Company.	Address.	Capital Stock.	Funded Debt.	Cost Property and Equipment.	Revenue	Long Distance Receipts.	Operating Expenses.	Number of Telephones.		Employees and Remuneration.	
								Central.	Magneto	No.	Amount.
Ontario.		$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.				$ cts.
"A" Line Tel. Co.	Richards Landing	635 44		635 44	95 00		95 00		20	1	85 00
Aberdeen-Plummer Centre Tel. Co.	Plummer	1,397 00	500 00	2,653 56	90 00	70 00	63 39		36	4	54 00
Adamston Tel. Asso.	Adamston Station	777 00		1,445 00	65 40		65 40		27	1	62 00
Addison Tel. System	Addison	14,000 00		11,180 00	3,469 13	211 78	913 38		170	2	805 00
Aldboro Farmers Tel. Asso.	Rodney	2,270 00		4,500 00	1,618 70	55 00	1,617 55		178	3	477 45
Alba Tel. Asso.	Pembroke			6,500 00	750 00		710 00		93		
Albertville Tel. Co.	Kingville										
Allenford Tel. Co.	Allenford			4,800 00	483 74	38 16	418 97		145	2	275 00
Algoma Central & Hudson Bay Ry. Co.	Sault Ste. Marie			125,872 00	3,113 02	741 17	2,693 19		55	3	1,930 22
Algoma Eastern Ry. Co.	Sault Ste. Marie			29,643 02	1,085 85	352 00	1,028 09		24	1	685 54
Ahmic Tel. Co., Ltd.	Ahmic Harbour	22,540 00	2,400 00	15,200 00	810 82	128 92	822 68		70	3	100 00
Alice Tel. Co.	Pembroke	1,280 00		1,280 00	85 75		85 75		16		
Alnwick Tel. Co., Ltd.	Roseneath	4,850 00		4,000 00	425 00		280 00		105	2	235 00
Amable Tel. System	Hepworth			1,050 00	90 00		90 00		20	1	10 00
Amaranth Tel. Asso.	Grand Valley			2,000 00	200 00		150 00		40	1	100 00
Ansonia & Thessalon Tel. Co.	Little Rapids	2,474 00		3,654 00	660 00		660 00		60	3	75 00
Apsley Tel. Co., Ltd.	Apsley	2,290 00		2,930 00	463 21		390 37		42	3	148 05
Ardtrea Tel. Asso.	Orillia	1,913 25		1,913 25	452 39		411 00		40	1	39 95
Armstrong Tel. Co.	Earlton			550 00	160 00		146 30		16	1	34 00
Arran No. 1 Tel. Co.	Tara			2,700 00	297 00		272 00		68		
Ashgrove Tel. System	Georgetown			400 00	81 60		81 60		11		
Ayr Tel. Co., Ltd.	Ayr	6,460 00		8,074 73	2,342 18	27 60	1,917 58		150	2	306 00
*Bell Tel. Co., Ltd.	Montreal							129,082	46,378	5,421	†2,900,000 00
"B" Tel. Co.	Richards Landing			175 00	25 00		25 00		3		
Back Line Tel. Co.	Melancthon	900 00		900 00	248 54		239 71		22	1	5 00
Balaclava Tel. Club	Balaclava	2,492 00		2,492 00	250 99		250 99		36	1	30 00
Balderson Tel. Asso.	Balderson			4,300 00	400 00	100 00	330 00		123	2	330 00
Balsam Hill Tel. Asso.	Renfrew	1,000 00		1,000 00	242 96		124 74		27	1	23 00
Barrie-Angus Tel. Line	Angus	3,100 00		3,700 00	700 00		700 00		28	2	150 00
Barrie Island Mutual Tel. Co.	Barrie Island	480 00		800 00	50 00		50 00		24	1	42 00
Barrett Tel. Asso.	Port Rowan	100 00		100 00					6		
Barton & Binbrook Tel. Co., Ltd.	Hamilton	9,290 00		12,570 58	2,966 47	243 85	2,289 44		140	3	863 33
Beaver Tel. Co.	Woodville										
Beaver Valley Mun. Tel. System	Thornbury		23,200 00	24,423 58	1,918 68		1,359 51		250	3	1,073 15
Beaver Tel. Co.	Woodville	360 00		350 00	5 75		2 40		12	1	2 40
Beaver Mills Tel. Line	Cannington			75 00					3		
Beatty Tel. System	Garden Hill			7,160 00	1,500 00		1,000 00		135	8	1,000 00

Beatrice Tel. Asso.	Beatrice									
Beckwith & Montague Tel. Co.	Franktown	2,000 00		3,435 38	1,837 84	23 84	290 30	41	6	215 30
Beeton Tel. Co., Ltd.	Beeton	41,270 00		44,000 00	7,075 69	257 58	6,335 86	600	2	1,300 00
Belmont Co-op. Tel. Asso.	Belmont	2,580 00		4,000 00	2,938 33	300 00	2,000 00	270	4	1,300 00
Berwick Private Line	Graad Valley			975 00	170 00	5 00	47 20	21		
Bethany Union Tel. Co.	Bethany			7,500 00	375 00		375 00	125	1	375 00
Bethesda Mutual Tel. Co.	Bowmanville	450 00		450 00	78 74		78 74	11		
Bethesda & Stouffville Tel. Co., Ltd	Stouffville	29,500 00	15,500 00	63,666 09	9,855 77	739 54	7,655 43	856	10	4,029 25
Bethel Rural Tel. Asso.	Dundalk	650 00		650 00	160 00		85 00	17		
Billings Mutual Tel. Co.	Kagawong	1,035 47		1,035 47	5 00		5 00	34	1	5 00
Blaachard Private Line	Caanington			500 00	75 00		40 00	9		
Blenheim & South Kent Tel. Co., Ltd	Bleaheim	15,050 00	9,350 00	37,817 63	8,304 84		4,335 14	675	5	1,694 00
Blind Line Tel. Co.	Woodford	650 00	650 00	520 00	152 97	2 50	150 43	13	1	6 50
Blyth Mun. Tel. System	Blyth		37,896 00	40,412 00	5,782 61	194 09	1,943 38	483	5	1,451 00
Bobcaygeoa Tel. Co.	Bobcaygeon	2,514 00		2,438 97	1,039 57	85 25	336 29	78	1	25 00
Bolton Tel. Co., Ltd.	Bolton	14,750 00	10,400 00	46,074 04	9,273 86	700 00	6,725 50	720	5	2,055 37
Bond Corners Tel. System	Woodstock			305 00	92 00		92 00	13		
Bond Tel. Co.	Chesley			880 00	76 00		76 00	16	1	
Bonsfield Private Line	Milton			125 00	30 50		30 50	5		
Bowesville Mutual Tel. Asso.	Bowesville	1,800 00		1,957 00	64 00		64 00	24		
Bowman Tel. System	Elmwood			3,000 00	1,200 00		500 00	160		
Bracebridge & Muskoka Lakes Tel. Co.	Bracebridge	9,700 00		17,824 29	3,871 81		3,126 77	85	6	2,251 70
Bradden Tel. Asso.	Latta	20,000 00	3,200 00	23,200 00	3,500 00	300 00	600 00	326	2	200 00
Brigham Tel. Line	Hanover			14,000 00	1,800 00		900 00	136	2	400 00
Brighton Mua. Tel. System	Brighton		24,500 00	24,500 00	8,935 90	276 10	4,844 71	356	9	919 20
Bromley Tel. Asso.	Douglas	4,150 00		4,150 00	311 95	37 65	53 00	83	1	53 00
Bromley Line Tel. Asso.	Cobden			2,200 00	383 99		314 00	38	2	41 50
Brookdale Tel. Co.	Napanee			600 00	168 00		104 00	14	1	20 00
Brooke Mua. Tel. System	Inwood	6,615 00	53,000 00	53,000 00	7,858 10	276 00	4,230 00	846	4	2,380 00
Brougham & Grattaa Tel. Co., Ltd	Hyndford	2,100 00		2,700 00	189 87		85 87	11	1	30 00
Bruce Mun. Tel. System	Tiverton	63,200 00	63,200 00	92,934 95	12,725 00		5,434 50	1,040	6	4, 65 00
Brussels, Morris & Grey Mun. Tel. System	Brussels		49,237 92	56,820 62	4,555 30	286 23	4,012 31	913	7	2,326 67
Brussels Village Mun. Tel. Corp.	Brussels									
Burgessville Tel. Co. of Ont., Ltd.	Woodstock	13,300 00		25,616 00	7,755 77	572 64	4,941 19	565	4	3,338 76
Burnt River Tel. Co., Ltd.	Barnt River	4,030 00		6,280 00	1,073 04		775 00	105	2	563 37
Byron Tel. Co., Ltd.	Delaware	14,550 00		14,550 00	4,202 98	890 19	4,128 91	608	8	3,349 92
"C" Tel. Line	Sea Gull									
Calabogie & Renfrew Tel. Asso	Ashdad	4,265 55		4,400 00	1,409 00		1,338 00	28	2	115 00
Cambray Tel. Union	Cambray			475 00	349 19	314 34	64 00	240	3	32 00
Camden Independent Tel. Co.	Newburgh	4,350 00		9,559 66	1,976 53	116 20	1,132 28	209	4	475 55
Caradoe-Ekfrid Tel. Co., Ltd.	Melbourne	10,000 00		16,225 00	1,302 50		443 54	580		
Cameron Tel. Union	Cameron	3,960 00		3,960 00	332 20	37 00	328 81	99	2	201 30
Canadian Machine Tel. Co., Ltd.	Toroato	250,000 00		346,001 99	15,469 85		15,769 39	*727 403	26	14,881 85
Cannon Tel. Line	Sharbot Lake			2,000 00	150 00		100 00	25		
Carlsruhe Tel. Co.	Carlsruhe	250 00		250 00	50 00		50 00	4	1	12 00
Carholme & Walsingham Tel. Co	Silver Hill	150 00	150 00	140 00	15 00		15 00	15	1	15 00

*These figures relate to Ontario only. †Estimated. *Automatic.

TABLE 1.—Statement of Capital, Cost, Revenue, Operating Expenses, Number of Telephones, Employees, etc.—*Continued.*

Name of Company.	Address.	Capital Stock.	Funded Debt.	Cost Property and Equipment.	Revenue.	Long Distance Receipts.	Operating Expenses.	Number of Telephones.		Employees and Remuneration.	
								Central.	Magneto	No.	Amount.
Ontario—Con.		$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.				$ cts.
Central Dufferin Tel. Asso., Ltd	Shelburne	1,180 00		1,180 00	329 36		290 70		31	3	140 00
Central Tel. Line	Richards Landing			450 00	72 00		72 00		18		
Centre Road Tel. Club	Annan			1,746 06	177 91	5 15	167 62		21	1	39 50
Centre Thorah Tel. Asso	Beaverton	235 00		200 00	56 00		48 00		12		
Chamberlain Private Line	Wheatley			5,962 00	2,314 00		1,230 30		173		
Champlain Point Tel. System	Orillia			80 00	8 00		8 00		8		
Chatsworth Rural Tel. Co	Chatsworth	5,792 23		5,772 29	1,523 90		819 55		107	2	171 10
Chelmsford Tel. Co	Chelmsford			6,000 00	500 00	185 00	500 00		51	1	120 00
Chinquacousy Local Tel. Co	Cheltenham		30,000 00	34,000 00	10,960 18	413 17	8,693 64		550	2	1,700 00
Chippawa Hill Tel. Club	Southampton	1,350 97		1,350 97	519 67		550 68		21	1	82 38
Cochrane Tel. Co	Cobalt	15,000 00		16,997 14	2,885 09	659 84	2,398 15		115	4	2,175 68
Coe Hill Rural Tel. Co	Coe Hill			6,850 00	786 00		585 00		53	10	275 00
Colborne Mun. Tel. Co	Goderich		7,600 00	7,600 00	1,041 75	80 85	1,004 41		142	2	394 28
Colchester North Tel. System	Essex		11,892 00	15,199 43	1,144 00	108 60	730 00		284	3	396 83
Coldstream Tel. System	Coldstream	13,800 00		13,800 00	2,100 00	115 93	420 00		250	3	400 00
Conn Tel. Co., Ltd	Conn	3,660 00		6,000 00	672 75	224 20	500 00		135	2	220 00
Consolidated Tel. Co	Caledon	34,041 25	3,900 00	45,647 35	6,751 27	74 63	6,212 85		523	6	3,018 15
Cordova Mines Tel. Co	Cordova Mines			750 00	35 00		24 00		12		
Coulson-Jarratt Tel. Asso	Jarratt	2,600 00	700 00	3,500 00	994 38	78 00	960 75		45	1	32 50
Cramahe Mun. Tel. System	Morganston		18,000 00	18,000 00	900 00		900 00		230	3	900 00
Crediton Rural Tel. System	Crediton			11,000 00	1,950 00		1,200 00		185	2	500 00
Crews Tel. Line	Trenton			480 00	53 43		53 43		8		
Crown Tel. Asso	Barrie										
Dawn Mun. Tel. System	Dresden		13,750 00	19,200 00	2,081 00	225 00	1,583 00		336	2	1,160 00
Delphi Tel. Asso	Camperdown			500 00	151 66	5 20	99 70		9	1	5 00
Derby Tel. Asso	Owen Sound	6,000 00		6,217 53	584 00	23 00	683 19		101	3	93 00
Dereham Tel. Co., Ltd	Brownsville	13,200 00		13,274 38	4,365 67	655 69	3,867 16		302	9	1,469 06
Desboro Tel. System	Desboro			4,890 00	832 39		764 41		105	2	92 00
Dingwall Tel. Asso	Woodstock			333 00	59 00		59 00		9		
Doane Tel. Co	Newmarket			1,100 00	340 00	25 00	35 00		21	1	25 00
Dora Bay Tel. Co	Golden Lake	1,200 00		1,500 00	96 35	6 35	88 84		30		
Dover, Mun. Tel. System	Bear Line		27,300 00	27,300 00	3,678 00	105 25	4,553 00		418	1	75 00
Dresden Tel. Co	Dresden			26,547 60	6,812 07	554 82	4,003 17		423	6	2,839 65
Drummond & Elmsley Tel. Asso	Perth	695 00		600 00	760 00	16 50	105 00		13	1	9 20
Drummond Centre Tel. Asso	Perth	5,200 00		5,200 00	867 88	173 50	469 76		89	2	225 00
Dunville Consolidated Tel. Co., Ltd	Dunville	70,800 00	24,000 00	78,707 92	17,458 50	8,522 56	11,822 69	328	872	16	9,307 74
Dunsford Tel., Light & Power Asso	Dunsford	3,200 00		5,200 00	1,650 00	50 00	725 00		116	3	440 00
Dunwich & Dutton Tel. Asso., Ltd	Dutton	3,810 00		4,500 00	1,491 56	46 25	1,533 26		223	2	445 18

East Darlington Tel. Asso.	Bowmanville	140 00		140 00	64 00		5 00		8		
East Grey Tel. Co.	Markdale	790 00		5,000 00	500 00		500 00		60	2	500 00
East Luther Tel. Co.	Grand Valley	1,600 00		2,700 00	950 00		855 75		189	2	440 00
East Middlesex Tel. Co., Ltd	Thorndale	8,810 00		26,783 04	5,037 65	167 65	4,799 34		391	3	1,576 99
East Woodville Tel. Asso.	Woodville			1,041 44	41 09		41 09		22	2	20 60
Eden Tel. Co.	Woodville	1,200 00		1,200 00	135 00		130 00		60	1	130 00
Edenvale Tel. Co.	Edenvale			650 00	42 00		42 00		14	1	42 00
Edgar Tel. Line	Laurel			10,000 00	1,800 00		400 00		380	12	600 00
Elderslie-Salem Tel. Asso.	Dobbinton	945 00		945 00	97 06		97 06		21	1	8 00
Eldon Union Tel. Asso.	Beaverton	2,100 00		2,050 00	800 49	23 00	813 29		44	2	63 50
Elgin-Chaffey's Lock Tel. Co.	Chaffey's Lock	800 00		800 00	70 50		37 50		2	1	25 00
Elizabeth Bay Mutual Tel. Co.	Elizabeth Bay	318 00		318 00	13 53		13 53		10	2	12 50
Ellis Rural Tel. Co.	Cannington			278 00	34 00		34 00		9		
Emo Mun. Tel. Co.	Emo		12,000 00	11,173 00	650 00		650 00		143	3	534 00
Enterprise Tel. Asso.	Steelton			300 00	66 00		66 00		5		
Enterprise Tel. Co.	Enterprise			1,300 00	300 00	25 00	90 00		25	1	60 00
Erie Tel. Co., Ltd.	Selkirk	26,100 00	15,900 00	90,372 92	15,945 16	810 04	9,861 37		1,285	15	6,750 70
Ernst Private Line	New Hamburg			17,900 00	3,820 00		1,800 00		245	6	1,300 00
Euphrasia Mun. Tel. System	Markdale		10,000 00	8,650 00	1,760 00		685 00		110	1	150 00
Everett Tel. Co.	Everett	1,809 50		2,955 59	260 12	66 10	183 19		34	1	75 00
Evergreen Tel. Co.	Douglas	500 00		500 00	25 00		25 00		8		
Falkirk Tel. Co.	Denfield	10,000 00		16,000 00	2,600 00	110 00	900 00		255	5	900 00
Fall River Tel. Asso.	Maberly	555 00		500 00	35 00		35 00		30	1	12 00
Fairview Tel. Asso.	Woodstock			350 00	64 41		64 41		9		
Fairview Tel. Co.	Antem Mills	500 00		500 00	35 00		35 00		8		
Farmers' Union Tel. Co.	Richards Landing	600 00			90 00		90 00		18		
Fenelon Rural Tel. Asso.	Cameron			613 26	98 95		12 90		13	1	12 90
Fenella Tel. Co., Ltd.	Fenella	2,000 00		2,350 00	238 00		100 00		60	2	100 00
Fifth Line Tel. Club	Bognor	1,000 00		1,000 00	92 00		92 00		15		
Fingal Tel. Co., Ltd.	Fingal	3,030 00		5,500 00	2,535 69		2,208 95		250	5	700 95
Fingerboard Tel. Co.	Sonya			380 00	86 00		86 00		20	1	3 00
Floss Mun. Tel. System	Elmvale		285 00	285 00	1,300 65		2,293 20		447	3	1,159 60
Fordwich Tel. Co.	Fordwich	5,830 00		6,460 00	1,220 00	43 50	912 00		141	2	180 00
Forest Home Tel. Co.	Orillia			1,500 00	90 00		90 00		16	1	6 38
Fort Frances Tel. Co.	Fort Frances		23,000 00	21,604 65	6,511 72	536 15	4,396 46		198	5	2,370 31
Fort William Tel. Co., Corp of	Fort William		390,000 00	375,665 15	65,585 86		65,585 86	2,485	15	37	17,000 00
Fourth Line Tel. Asso.	Perth	81 44		81 44	32 47		32 47		5		
Fourth Line Tel. Asso.	Cobden			357 63	80 00	10 80	80 00		16	1	10 00
Fourteenth of Brant Tel. Co.	Chesley			450 00	60 59	1 50	53 66		10		2 50
Fraizer Tel. Asso.	Woodstock			400 00	89 00		89 00		14		
Fretts & Brisco Co-op. Tel. Co.	Napance			350 00	77 84	2 40	77 84		6		
Gawas & Shore Road Tel. Line	Gawas Bay			500 00	70 00		70 00		21		
Germanicus Tel. Asso.	Germanicus	791 00		786 00	15 00		15 00		21	1	15 00
Gillies Hill Tel. Asso.	Chesley			296 00	120 97	27 75	148 72		16	1	10 00
Gillies Private Line	Lions Head	7,000 00		7,000 00	1,500 00	300 00	800 00		175	2	800 00
Glaister Tel. System	Wellesley			18,000 00	3,000 00	350 00	2,000 00		285	3	930 00
Glandine Central Line	Little Britain			488 44	113 36		113 36		19	1	32 00
Glasgow Tel. System	Cannamore			30,000 00	4,680 00	480 00	1,600 00		340	4	1,600 00
Glen Eden Tel. Club	Owen Sound			720 00	90 00		90 00		15	1	10 00
Glen Tel. Asso.	Bethany										

TABLE 1.—Statement of Capital, Cost, Revenue, Operating Expenses, Number of Telephones, Employees, etc.—*Continued.*

Name of Company.	Address.	Capital Stock.	Funded Debt.	Cost Property and Equipment	Revenue.	Long Distance Receipts.	Operating Expenses.	Number of Telephones.		Employees and Remuneration.	
								Central.	Magneto	No.	Amount.
Ontario—Con.		$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.				$ cts.
Glengarry Co-op. Tel. Asso	Alexandria	12,156 00		15,000 00	3,512 79	521 49	1,509 37		250	2	1,000 00
Gloucester Twp. Tel. Asso	Carlsbad Springs			650 00					15		
Goderich Rural Tel. Co., Ltd	Dungannon	5,000 00	37,998 00	49,190 25	7,226 53	368 26	3,966 78		551	4	2,200 00
Goderich Twp. Mun. Tel. System.	Clinton			11,740 08	1,288 75	69 75	1,236 11		235	4	609 14
Goodwood Tel. Co., Ltd	Carleton Place										
Gordon Tel. Co	Foxey			360 00	100 00		100 00		29	2	39 00
Gore Mutual Tel. Asso	Harrow			1,096 00	82 23		82 23		12	1	11 50
Gosfield North Mun. Tel. System	Cottam		16,380 00	12,207 50	2,151 81	84 31	1,010 00		302	3	1,010 00
Goulais Bay Tel. Club	Goulais River	2,849 92		2,766 74	149 85	2 70	149 85		19	1	12 00
Green Hill Tel. Co	Markdale	500 00		700 00	204 00		86 00		17		
Greenwood Tel. Club	Sault Ste. Marie	560 00		500 00	79 00		71 00		10		6 00
Grunwall Tel. Line	Huntsville			540 53	120 00		101 15		6		
Guest Private Line	Douglas	200 00		200 00	15 00		15 00		2		
Haldimand Mun. Tel. System	Grafton			9,209 97	666 75	191 99	380 00		125	2	380 00
Haldimand Rural Tel. Co., Ltd	Grafton	1,490 00		5,700 00	903 51	511 37	609 02		149	2	425 75
Halton Tel. Co., Ltd	Hornby	16,000 00		16,500 00	4,431 45	168 30	2,970 45		262	2	1,100 00
Haley's Station Tel. Asso	Cobden			950 00	37 07	29 45	35 07		23	1	10 00
Hamilton Tel. Line	Bethany										
Hamilton Rural Tel. Co	Cold Springs	910 00		2,400 00	1,286 73	296 00	1,050 50		218	1	545 00
Hartley Tel. Co	Hartley			900 00	574 54		482 93		20		140 00
Harvey Mun. Tel. System	Peterboro			3,264 16	360 38	335 00	352 53		49	2	151 40
Harrietsville Tel. Asso., Ltd	Harrietsville	10,900 00		13,033 69	5,989 11	1,798 68	5,892 71		453	13	3,707 32
Harwood Rural Tel. Co	Harwood	1,036 00		1,036 00	133 00		120 00		32	1	38 00
Hawley Tel. Asso	Bath	750 00		845 08	192 25		192 25		15		
Hawthorn Hill Tel. Co., Ltd	Palmerston	880 00		8,500 00	1,934 16	234 85	1,497 56		162	3	505 00
Hay Twp. Mun. Tel. System	Zurich		21,655 74	21,655 74	6,133 30	199 73	2,400 00		475	3	2,510 00
Hazeldean Tel. Co., Ltd	Hazeldean	13,260 00		20,000 00	4,585 12	126 92	4,079 82		200	4	1,300 00
Henderson & Milling Tel. Line	Napanee			2,075 00	372 00		246 00		31	1	56 00
Hendersons Private Line	Cannington			800 00	200 00		125 00		25	1	50 00
Heric Tel. Line	St. Clements	2,100 00		2,100 00	530 00	63 00	195 00		45	1	75 00
Herrington Tel. Co	Napanee	1,000 00		1,000 00	154 00		45 00		22	1	23 00
Highland Tel. Co., Ltd	Ruskview	2,500 00		3,500 00	788 50	15 18	788 50		58	1	155 80
Highland Tel. Co	New Liskeard	2,300 00		3,100 00	523 25	3 20	521 11		86	3	491 60
Hinton & Jocelyn Tel. Co	Carterton			1,000 00	96 51		80 90		14		
Hoath Head & Grey Tel. Co	Owen Sound			1,500 00	7 50		7 50		32	1	7 50
Hollow Glen Tel. Co	Breckenridge										
Hopetown Tel. Asso	Lanark	4,795 00		6,400 00	2,282 85	150 28	1,998 32		186	6	912 65
Hoover Tel. Co	Nanticoke	150 00		150 00					3		

Horton & McNab Tel. Co., Ltd	Braeside	2,500 00	2,500 00	2,500 00	1,873 00	378 25	1,450 00		111	5	1,450 00
Houghton & Bayham Tel. Co., Ltd.	Fairground	2,320 00		2,600 00	969 00	12 00	920 00		180	8	600 00
Houghton, Bayham & Tilsonburg Tel. Asso	Kinglake	1,645 00		2,800 00	694 39	13 25	693 56		128	3	389 00
Houghton & S. Walsingham Tel. Co.	Clear Creek	1,000 00		1,000 00	296 00		281 00		50	2	60 00
Huron & Kinloss Mun. Tel. System	Ripley		46,900 00	46,900 00	7,827 02		3,114 42		655	5	2,578 86
Hyndman's Private Line	Exeter			2,600 00	550 00		280 00		60	1	280 00
Huntsville & Portage Tel. Co	Huntsville			5,831 58	921 38		534 27		30	1	278 41
Huntsville & Lake of Bays Tel. Co., Ltd	Port Cannington	3,810 00		5,421 48	805 00	15 00	638 90		47	2	390 00
Indian River Tel. Co	Pembroke	560 00		560 00	42 40		42 40		8		
Ingersoll Tel. Co., Ltd	Ingersoll	36,200 00	35,000 00	114,045 44	18,089 84	445 40	9,338 30	1,354		20	7,554 90
Ingleside Tel. Asso	Woodstock			700 00	153 26	69 67	153 26		14	1	2 00
Innerkip Rural Tel. Co	Innerkip	18,240 00	5,100 00	35,345 97	7,541 65	142 84	5,478 43		550	6	2,491 95
Innisfil Tel. Asso	Lefroy	4,150 00		4,200 00	762 72	150 28	852 11		87	2	91 00
Islay Tel. Co	Woodville			1,675 00	85 00		80 00		40	3	85 00
Ivy-Thornton Tel. Co., Ltd	Ivy	3,575 00	2,372 00	9,433 00	1,578 00		1,133 04		157	3	546 50
Jackson Tel. Co., Ltd	Owen Sound	5,280 00	700 00	6,411 38	163 00	16 40	171 79		78	2	45 95
Johnson & Brandon Tel. Co	Cannington			300 00	33 00		20 50		6		
Johnstone Private Line	Barrie										
Johnston (Dr.) Private Line	Jannefsville								40		
Johnson Mun. Tel. System	Port Lock	1,918 92	3,029 40	6,254 23	1,722 96	179 41	1,711 09		82	3	400 00
Kaladar & Northern Tel. Co	Northbrook	1,300 00		1,300 00	200 00		120 00		17	1	75 00
Kemble-Sarawak Tel. Co., Ltd	Kemble	3,280 00		4,450 00	300 00		200 00		82		
Kenora, Town of, Tel. System	Kenora		23,662 51	39,885 79	10,756 75		5,063 15		615	15	4,394 40
Kerr Line Tel. Asso	Forresters Falls			540 82	536 37		150 00		38	1	150 00
Keward Rural Tel. Co	Chatsworth			1,000 00	190 00		90 00		16		
King Tel. Co., Ltd	King	5,060 00	2,260 00	10,500 00	3,146 00	108 00	2,050 00		235	2	1,150 00
Kingston Road Rural Tel. Asso	Grafton			300 00	107 50		107 50		9		
Kitley Rural Tel. Co., Ltd	New Bliss	11,500 00	2,400 00	13,647 19	3,087 61	261 13	1,558 44		255	4	1,029 10
Korah Central Tel. Asso	Sault Ste. Marie West			900 00	96 15		96 15		11	2	17 50
Koshee-Sparrow Lake Tel. Line	Sparrow Lake			625 00	85 85		85 85		9	1	12 00
La Passe Tel. Asso	La Passe			876 00	130 00	67 00	73 00		12	1	73 00
La Cloche Tel. Club	Massey Station	730 00		730 00	311 78		311 78		17		
Lake of Bays & Haliburton Tel. Co., Ltd	Baysville	3,000 00		2,765 00	500 00	35 00	476 00		38	4	385 00
Lake Shore Mutual Tel. System	Kincardine	1,400 00		1,400 00	200 00	1 50	190 00		38	1	10 00
Lake Simcoe Rural Tel. Co	Beaverton	680 00	930 00	980 00	90 00		50 00		10		
Laird Mun. Tel. Asso	Bar River		2,346 78	6,890 00	1,153 48		786 41		149	3	730 06
Lambton Tel. Co., Ltd	Sombra	9,750 00		14,864 80	2,444 23	233 52	1,290 04		175	3	929 25
Lambeth Tel. Co., Ltd	Lambeth	2,400 00		2,669 59	491 50	76 20	550 50		15		
Lanark & Carleton Counties Tel. Co., Ltd	Almonte	18,610 00		21,589 91	4,221 86	140 40	3,641 57		319	4	1,977 36
Lanark & Ramsay Tel. Asso	Carleton Place			3,000 00	236 62	70 15	235 96		40	2	35 00
Lansdowne Tel. Co., Ltd	Lansdowne	16,200 00	1,850 00	16,300 00	3,447 00		2,175 00		345	3	1,376 00
Lavant-Dalhousie Tel. Asso	Poland	2,400 00		3,400 00	694 17	37 60	382 92		54	3	160 00
La Vallee Mun. Tel. Co	Devlin		8,653 34	8,653 34	810 51	56 17	810 51		126	2	730 00
Lee Valley Tel. Co	Lee Valley			1,216 00	67 13		32 08		26	2	10 00
Leeds & Frontenac Tel. Co., Ltd	Seeley's Bay	3,650 00	1,100 00	24,250 00	4,399 18		4,399 18		485	4	1,65 (00
Leeds & Grenville Indep. Tel. Co., Ltd	North Augusta	19,250 00	3,600 00	32,257 00	6,913 27	275 90	3,957 27		611	10	2,325 00

TABLE 1.—Statement of Capital, Cost, Revenue Expenses, Operating, Number of Telephones, Employees, etc.—*Continued.*

Name of Company.	Address.	Capital Stock.	Funded Debt.	Cost Property and Equipment.	Revenue.	Long Distance Receipts.	Operating Expenses.	Number of Telephones.		Employees and Remuneration.	
								Central.	Magneto	No.	Amount.
Ontario—Con.		$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.				$ cts.
Leith & Annan Tel. Club	Leith	1,462 00		3,338 87	958 94	41 90	770 57		82	1	211 42
Lennox Tel. Co., Ltd	Napanee	1,410 00		6,400 00	1,445 31	73 70	810 04		81	1	275 00
Lighting Tel. Asso	Gratton	1,254 00		1,354 00	78 00		78 00		22	1	78 00
Little Britain Tel. Union	Little Britain			300 00	818 00		788 00			3	454 00
Long Lake Rural Tel. Co	Long Lake			6,550 00	850 00		500 00		113	2	250 00
Lucknow & Kinloss Tel. Asso	Holyrood	1,000 00		1,000 00	90 00	40 00	50 00		11		
Lyons Private Line	Markdale			2,800 00	560 00	19 00	200 00		40		
Lyndhurst Rural Tel. Co	Lyndhurst	8,300 00		10,300 00	1,743 00		985 00		202	3	600 00
Lyndock, Carholme & Walsingham Tel. Co	Lyndock	270 00	100 00	450 00	27 00		25 00		11	1	22 00
Madawaska Tel. Asso	Burnstown	960 00		1,890 00	1,109 93	81 40	1,026 30		59	2	150 00
Maidstone Mun. Tel. System	Essex		13,974 19	13,974 19	1,373 00		1,297 89		380	3	525 00
Malahide & Bayham Tel. Asso	Staffordville	7,420 00		8,622 62	2,598 14		1,963 93		405	7	1,655 28
Mallorytown Indep. Tel. Co	Mallorytown	14,100 00		22,625 20	3,206 09	85 70	3,191 17		290	4	600 00
Manitoulin & N. Shore Teleg. & Tel. Co	Little Current	13,000 00		17,000 00	2,500 00		1,700 00		36	6	1,470 00
Manitoulin Island Rural Tel. Co	Mindemoya	4,820 00		8,820 00	2,674 53		2,462 89		200	6	450 00
Manilla Northern Tel. Co	Oakwood			3,000 00					70		
Manse Grove Tel. Co	Lorneville			1,500 00	250 00		250 00		40	1	63 00
Maple Grove Tel. Co	Shallow Lake	502 00		700 95	174 70	1 20	173 50		17	1	5 00
Maple Leaf Tel. Co	Oakwood			665 00	45 03		45 03		19	1	45 00
Maple Shade Tel. Co	Woodstock			200 00	61 80		61 80		8		
Maple Leaf Line	Little Britain			162 00	16 00		16 00				
Mariposa Tel. Union	Oakwood			650 00	700 00		675 00		168	2	430 00
Marmion Tel. Co	Marmion	663 38		663 38					25		
Martintown Tel. Co	Martintown	2,150 00	1,500 00	7,300 00	1,555 25	108 45	585 00		120	2	370 00
Marysburgh Tel. Co	Milford	10,000 00		10,000 00	1,300 00	100 00	300 00		110	2	200 00
Massey Station Tel. Co., Ltd	Spanish Mills	500 00		600 00	188 41	5 59	228 23		4	4	74 60
Meath Tel. Asso	Cobden			2,270 00	150 00		150 00		30		
Medonte Mun. Tel. System	Moonstone		15,000 00	18,107 38	3,454 08	125 00	3,099 28		357	4	702 86
Melancthon Tel. Asso	Corbetton	2,400 00	350 00	2,400 00	280 00		280 00		42	3	40 00
Metcalfe Tel. Co., Ltd	Metcalfe	16,900 00	20,000 00	19,500 00	4,164 00	319 87	1,940 00		346	3	1,440 00
Millard Tel. Line	Coldwater			1,000 00	120 00	120 00	40 00		1		
Mills Tel. Co	Thamesford			7,000 00	1,100 00	115 00	900 00		105	3	360 00
Mink Lake Tel. Co	Eganville	855 00		855 00	35 00		25 00		14		
Minesing Tel. Asso	Minesing	3,850 00		3,850 00	400 00	207 69	400 00		110		
Minto Rural Tel. Co., Ltd	Harriston	3,150 00		7,830 00	1,210 00	116 45	740 50		166	1	76 50
Mississippi Tel. Co., Ltd	Lanark	2,660 00		4,100 00	1,638 00	73 00	477 36		96	3	305 00

Molesworth Indep. Tel. Co., Ltd	Listowel	990 00		3,475 00	1,033 67		511 85		85		
Monk Rural Tel. Co., Ltd	Carp	30,000 00		25,000 00	4,949 11	276 28	4,043 35		456	6	3,042 00
Monteith-Dempsey Tel. Co	Stratford	5,200 00		5,200 00	1,353 00	2 50	600 00		84	1	150 00
Mono Mills Tel. Asso	Mono Mills	8,000 00		7,500 00	800 00		750 00		130	3	550 00
Mooresburg-Desboro Tel. Asso	Desboro			238 00	74 00		74 00		12		
Moore Mun. Tel. System	Brigden		37,625 00	46,812 00	6,965 27	340 00	5,981 12		760	9	3,100 00
Moore Private Line	Brooklin			1,000 00	150 00	30 00	50 00		16		
Montrose Central Line	Little Britain										
Mornington & Wellesley Tel. Asso., Ltd	Millbank	3,980 00	12,000 00	9,125 00	1,776 82	236 12	953 96		132	4	700 50
Mount Albert Tel. Co., Ltd	Mount Albert	3,640 00	3,900 00	21,975 83	7,012 23	686 69	4,571 04		495	6	2,596 63
Mount Granite Tel. Club	Sault Ste. Marie			660 00	100 00	2 00	15 00		11	1	15 00
Mount Forest, Wellington & Grey Tel. Co., Ltd	Mount Forest	10,000 00		8,878 30	2,155 24		654 37		124	2	112 82
Moscow Mutual Tel. Asso	Moscow			2,800 00	238 00	66 80	238 00		114	1	238 00
Murray-Brighton Tel. Co	Wooler			20,000 00	3,205 00	657 00	580 00		253	1	120 00
Muskoka Indep. Tel. System	Martin Siding			3,000 00	1,500 00		1,300 00		61	3	1,000 00
Muskoka, Victoria & Haliburton Tel. Co	Uffington	3,000 00		3,524 77	668 40	126 45	683 50		26	1	97 81
Muskoka River Tel. Co	Alport			400 60	49 00		49 00		7		
Muskrat Tel. Asso	Cobden			635 32	181 59		181 59		19		
Mutual Tel. Asso	Orillia	250 00		250 60	60 00	12 00	60 00		10		
MacDonald Rural Tel. Co.	Sylvan Valley		2,400 00	3,050 00	220 00		220 00		72	2	170 00
McDonald Tel. Co	Trenton	1,263 66		1,263 66	161 50		161 50		19		
McEachren Rural System	Linwood										
McHardy Private Line	Merlin			600 00	351 00		230 94		27	1	60 00
McKillop, Logan & Hibbert Tel. Co.	Staffa	13,840 00	7,900 00	20,416 83	5,215 00	776 56	3,057 40		436	6	2,062 60
McKillop Tel. System	Seaforth		27,675 00	27,675 00	6,147 00	146 47	5,400 00		359	1	500 00
McNab Tel. Co., Ltd	Arnprior	4,500 00		5,500 00	304 00		225 00		78	1	125 00
Nelson Tel. Co., Ltd	Milton	10,000 00	9,000 00	23,297 73	3,493 58	163 60	1,335 20		235	3	1,060 00
New California Tel. Co	Kingsville			2,100 00	305 00	137 40	442 40		61	1	25 00
New Dundee Tel. Co., Ltd	New Dundee	4,300 00		8,614 00	2,625 00		1,414 72		174	2	690 00
New Glasgow Tel. Co	Rodney	2,560 00		4,200 00	1,426 11	90 00	860 00		132	3	141 00
Niagara District Tel. Co., Ltd	Jordan Station	16,300 00		28,349 00	6,333 23		5,085 29		534	7	3,455 47
Ninth Line of Cavan Tel. Co	Bethany										
Nipissing Tel. Line	Nipissing										
Missouri Tel. Co., Ltd	Thamesford	3,670 00		7,650 00	1,919 45	135 10	1,125 67		162	4	749 42
Noble Tel. Line	Sutton West			250 00	15 00		12 00		6		
Noisy River Tel. Co	Glencairn	22,805 33		33,735 62	8,969 14	237 72	4,928 82		548	2	2,165 74
Norfolk County Tel. Co., Ltd	Waterford	43,300 00	11,000 00	86,791 89	20,134 46	3,537 39	13,138 28		1,429	14	6,723 94
Norfolk & Tilsonburg Tel. Asso	Tillsonburg	6,000 00		8,000 00	2,932 61		2,727 98		260	3	955 25
Norland Indep. Tel. Co	Coboconk										
North Bonnechere Tel. Asso	Renfrew			800 00	75 00		75 00		13		
North Brant Tel. Co	Elmwood			1,600 00	42 50		42 50		40	1	20 00
North River Mun. Tel. System	Lovering			2,050 40	165 25		165 25		42		
Northcot Farmers' Tel. Co	Northcot	885 00		885 00	88 00		88 00		44	1	88 00
North East Clark Tel. Line	Orono			1,000 00	75 00		75 00		22	1	75 00
North East Hope Mun. Tel. System	Shakespeare		26,313 00	27,402 85	2,867 64	268 20	2,472 85		415	6	1,885 00
North Elderslie Tel. Asso	Dobbinton			2,507 14	95 36		95 36		34	1	10 00
Northern Mutual Tel. Co	Marmora			2,420 00	89 00		89 00		34	1	20 00

TABLE 1.—Statement of Capital, Cost, Revenue, Operating Expenses, Number of Telephones, Employees, etc.—*Continued.*

Name of Company.	Address.	Capital Stock.	Funded Debt.	Cost Property and Equipment	Revenue	Long Distance Receipts.	Operating Expenses.	Number of Telephones.		Employees and Remuneration.	
								Central.	Magneto	No.	Amount.
Ontario—Con.		$ cts.	$ cts	$ cts	$ cts.	$ cts	$ cts.				$ cts
Northern Tel. Co.	Korah	1,125 00		1,105 00	92 00		92 00		14	1	21 00
North Horton Tel. Co.	Renfrew	1,380 00		1,100 00	349 48	47 40	76 62		44	2	36 50
North Huron Tel. Co., Ltd	Wingham	20,000 00	2,507 40	25,336 11	5,796 53		4,103 80		446	1	1,380 00
North Mutual Tel. Line of Cavan	Bethany										
North Renfrew Tel. Co.	Beachburg	1,640 00		1,700 00	712 67	43 53	596 23		46	2	576 22
North Wellington Tel. Co., Ltd	Arthur	5,782 00		8,145 00	1,613 19		1,220 87		121	4	417 70
Oak Flats & Verona Tel. Co	Verona	738 00		738 00	28 81		28 81		16	1	3 00
Oldfields Tel. Line	Dundalk	325 00		325 00	100 00		50 00		12		
Oliver Mun. Tel. Co	Murillo	5,533 58		9,750 00	3,625 71		920 47		98	3	715 73
Omemee Tel. Co	Omemee	1,330 00		1,931 00	602 00	32 00	224 00		48	1	92 00
Oro Tel. Co., Ltd	Hawkstone	6,555 00		10,967 56	1,249 64	415 65	1,154 65		219	5	804 05
Orr-Stienhoff Tel. Asso.	Chesley	408 81		408 81			4 09		19		
Osceola Tel. Asso.	Osceola			1,000 00	10 00		5 00		16	1	5 00
Osprey Mun. Tel. System	Feversham		9,300 00	9,300 00	413 40	194 70	500 00		160	3	500 00
Otonahee Mun. Tel. System	Keene		20,000 00	20,440 13	1,250 00	300 00	1,300 00		260	5	1,000 00
Ottawa Hunt Club Tel. Asso	Billings Bridge										
Ottawa Valley Tel. Co.	Kars	1,800 00	3,800 00	6,500 00	1,250 00		400 00		100	3	200 00
Orono Tel. Co., Ltd	Orono	7,200 00		10,500 00	1,664 39	196 35	1,921 24		278	2	795 00
Palace Road Mutual Tel. Asso.	Napanee	2,500 00		2,500 00	256 40	9 65	105 13		34	1	30 00
Palestine Tel. Co.	Woodville			1,900 00	65 50		65 50		30	2	65 50
Park Head Tel. Co.	Park Head	800 00		800 00	102 00	36 00	102 00		22	2	14 00
Parkhill Tel. Asso.	Parkhill	13,000 00		11,915 00	1,960 66	35 50	1,277 01		172	3	466 00
Pastime Tel. Co.	Cobden			900 00	72 00		72 00		16	2	72 00
Passmore-Fowler Tel. Line	North Bay			297 00	84 00		48 00		4		
Paul & Eckhert Tel. System	Scabringville			22,100 00	4,991 06	90 65	2,404 99		316	3	1,169 09
Peabody Tel. Co	Chesley			750 00	115 35		115 35		17		
Peerless Tel. Co.	Little Britain			150 00					10		
Peerless Tel. Asso	Woodstock			190 00	61 75		61 75		7		
Pefferlaw Private Tel. Co	Pefferlaw			3,000 00	625 00		250 00		100	1	200 00
Pelee Is. Mun. Tel. System	Pelee Island		6,753 07	6,753 07	1,134 44	82 59	1,134 44		94	2	787 16
Penhurst Tel. Asso	Woodstock			305 40	86 95		86 95		11		
People's Mutual Tel. Co., Ltd	Picton	7,046 00		8,325 00	2,765 85	443 59	3,032 66		308	5	898 66
People's Tel. Co. of Forest, Ltd	Forest	8,160 00	3,650 00	15,300 00	5,867 04		5,465 13		458	6	2,254 42
People's Tel. & Teleg. Co., Ltd	Maynooth	13,709 00		17,570 93	3,633 57	340 82	3,553 11		175	30	1,880 00
Percy Mun. Tel. System	Warkworth								350		
Perth & Christie's Lake Tel. Asso.	Perth	1,370 00		1,662 00	396 09	27 00	387 47		68	1	125 00
Perry Tel. System	Napanee										
Pine Grove Tel. Asso.	Orillia			525 00	83 65		78 35		12		

Pioneer Tel. Co., Ltd	Thorniloe	5,083 00		6,132 08	1,077 63	152 18	1,088 84		90	2	633 14
Pioneer Tel. Asso	Woodstock			500 00	217 22		199 68		22		
Pleasant View Tel. Asso	Owen Sound	450 00		450 00	61 50		61 50		9		
Plum Hallow & Eloida Tel. Co	Athens	10,000 00		12,000 00	1,400 00		1,200 00		150	2	800 00
Plummer, Aberdeen & Galbraith Tel. Co	Ophir	3,402 00		3,402 00	659 25	2 55	228 26		42	2	133 00
Plummer Additional & Lefroy Tel. System	Bruce Mines			3,450 00	125 00		102 97		50	1	66 50
Pontypool Tel., Lt. & Power Co	Pontypool	970 00		970 00	189 00		189 00		31		
Porcupine Tel. Co	Cobalt	30,000 00		34,589 07	10,249 36	1,969 04	9,224 38		200	8	7,365 79
Port Hope Tel. Co., Ltd	Clarke	9,120 00		15,848 00	2,511 58		1,267 50		256	3	928 00
Port Arthur Mun. Tel. System	Port Arthur		337,500 00	337,500 00	44,201 57	479 15	29,232 50	2,526		45	23,342 37
Port Rowan Rural Tel. Co	Port Rowan		500 00	1,550 00	731 55		676 61		152	1	420 00
Port Stanley Tel. Co	Port Stanley	610 00		700 00	210 00		175 00		45	1	60 00
Prescott Tel. Co., Ltd	Routhier										
Princeton & Drumbo Tel. Co., Ltd	Princeton	20,000 00		31,900 00	8,289 17		2,949 88		604	6	1,800 00
Progressive Agri. Tel. System	Sault Ste. Marie			1,500 00	55 00		55 00		14	2	23 00
Port Hover Tel. Co	Sonya			575 00	79 80	3 00	81 45		19	1	38 00
Queen's Line Tel. Asso	Queen's Line	700 00		700 00	141 30		141 30		19	2	25 00
Quinlan Tel. System	Stratford	6,000 00		6,000 00	1,550 00		700 00		101		
Rainy River Tel. Co	Rainy River	23,875 00		23,520 63	2,024 37	1,112 17	1,819 89		79	5	1,193 00
Rankin Tel. Co	Pembroke	2,000 00		2,000 00	440 00		100 00		44	3	75 00
Ravensceliffe Tel. Co., Ltd	Ravenscliffe	2,350 00		2,263 53	570 32		368 23		45	2	134 22
Raymond Tel. Asso	Raymond	1,750 00		1,106 49	54 50	9 90	54 50		15	1	5 00
Reid Private Line	Westmeath			1,000 00	50 00	50 00			2		
Richardson's Private Line	Nipissing			1,525 00		134 25			4		
Richards Landing Tel. Club	Richards Landing			1,000 00	100 00		100 00		20		
Rideau View Tel. Asso	Billings Bridge										
Riverside Tel. Co	Woodstock			217 80	60 20		60 20		8		
Riverdale Tel. Asso	Napanee	450 00		450 00	132 00		98 65		11		
Rochester Mun. Tel. Asso	Woodslee		10,040 00	12,132 40	945 68	115 00	1,000 00		285	4	1,000 00
Roch Fendue Tel. Co	Beachburg			1,050 00	125 00		125 00		17		
Robison Tel. Co	Silverwater	835 00		835 00	10 00		10 00		30		
Rockwood & Oustic Tel. Co	Rockwood	2,800 00		4,100 00	1,039 12	19 63	487 22		73	2	121 54
Romney Tel. System	Wheatley	900 00		1,000 00	225 00	20 00	25 00		24	1	25 00
Rosedale Tel. Co	Fenelon Falls	800 00		800 00	36 60	23 10	33 35		19	1	7 00
Rose Mutual Tel. Co	Rydal Bank	1,200 00	2,000 00	1,460 00	130 00		115 00		13	2	60 00
Rox Tel. Co	Cobden			750 00	125 00		125 00		17	1	20 00
Rosedale Rural Tel. Co	Sydenham	1,080 00		1,100 45	110 95		80 86		21	1	11 00
Roxborough Ind. Tel. Co	Sandringham	6,700 00	6,550 00	13,381 00	2,281 75		1,742 71		214	4	871 00
Russell Tel. System	Bailieboro			2,000 00	650 00	100 00	350 00		100	1	200 00
Russell Rural Tel. Co	Navan	11,500 00		12,000 00	4,500 00		2,200 00		204	6	760 00
Rocktown Tel. Asso	Shelburne	1,585 95		1,585 95	462 00		416 79		33	1	77 80
Salem Tel. Asso	Bowmanville			300 00	10 00		10 00		5		
Salkeld-Andrews Tel. Co	Goderich	115 00		115 00	20 00		20 00		6		
Sebright Tel. Asso	Sebright			3,600 00	567 96	50 00	547 78		60	3	260 00
Sandwich South Mun. Tel. System	Maidstone		14,401 61	16,730 00	2,419 80	304 68	2,070 88		282	4	520 00
Sandwich West Tel. Asso	Loiselleville	3 000 00	1,900 00	5,500 00	1,459 00		1,064 00		73	2	300 00
Saugeen Tel. Co	Southampton			200 00	17 76	3 80			8		
Saugeen Tel. Asso	Walkerton	300 00		300 00	27 00		27 00		6		

TABLE 1.—Statement of Capital, Cost, Revenue, Operating, Expenses Number of Telephones, Employees, etc.—*Continued.*

Name of Company.	Address.	Capital Stock.	Funded Debt.	Cost Property and Equipment.	Revenue.	Long Distance Receipts.	Operating Expenses.	Number of Telephones.		Employees and Remuneration.	
								Central.	Magneto	No.	Amount.
Ontario—Con.		$ cts.	$ cts	$ cts.	$ cts.	$ cts.	$ cts.				$ cts.
Scarboro Tel. Co., Ltd	West Hill	8,250 00		40,000 00	4,767 37		4,455 63		460	3	1,700 00
Schomberg Tel. Co., Ltd	Schomberg	22,225 00	5,000 00	38,562 00	4,920 00	283 00	2,282 00		300	4	1,150 00
Scotch Corners Tel. Asso	Carleton Place			700 00	18 00		10 00		15	1	10 00
Scotch Line & Micaville Tel. Asso	Perth			1,800 00	550 00	141 95	525 00		54		
Second Line Drummond Tel. Asso	Perth	1,100 00		1,100 00	150 00	8 50	15 30		22	1	10 00
Scratch & Palmer Tel. Co	Kingsville	200 00		200 00	50 00		50 00		7		
Selby Tel. Co	Newburgh	2,842 17		6,040 00	1,240 00	120 00	745 00		124	2	300 00
Shamrock & Renfrew Tel. Asso	Renfrew	1,617 50		1,552 25	120 20	13 20	42 58		17	1	15 00
Section Tel. Asso	Kingsville				117 00		117 00		13		
Shuniah Tel. Co	Port Arthur		14,000 00	14,971 42	2,600 00		969 72		99	2	742 50
Silcote Tel. Club	Annan	2,006 80		2,026 00	163 53	8 50	173 21		29	1	10 15
Shamrock Central Line	Cresswell			527 00	87 25		87 25		17		
Sidney Bell Tel. Asso	Belleville	4,250 00		4,250 00	699 00	68 90	687 20		59	1	15 00
Sitzer Tel. Co	Milton West			200 00		15 00			9		
Slate River Local Mun. System	Slate River Valley	1,800 00	3,000 00	4,000 00	1,200 00	10 00	819 00		60	2	680 00
Snake River Tel. Asso	Cobden	1,750 00		1,750 00	428 95	4 70	410 91		50	2	80 52
Sonya Tel. Co	Cresswell			590 00	50 00		50 00		22	3	50 00
South Brant Tel. Co	Walkerton	1,000 00		1,000 00	250 00	8 65	261 15		27	1	9 00
South Bruce Tel. Co., Ltd	Teeswater	13,995 00	12,000 00	21,890 49	4,573 28	98 65	2,437 78		464	3	1,581 91
South Colchester Tel. Asso	Harrow	356 00		356 00	70 00	15 35	69 09		11		
South Crosby Tel. Co	Elgin	10,106 00		16,300 74	4,378 63	167 15	1,774 87		377	4	1,517 94
South Diagonal Tel. Co	Owen Sound	1,660 00		2,962 00	1,354 00	2 50	350 00		62	2	52 00
Southwald & Dunwich Tel. Co., Ltd	Shedden	3,840 00		4,680 00	2,193 48	88 00	1,400 00		260	4	650 00
South Elmsley Tel. Co., Ltd	Lombardy	3,480 00	3,250 00	4,100 00	696 00	39 10	461 70		58		
South Elderslie Tel. Asso	Chesley			1,665 00	148 00		56 52		37	1	20 05
South Gosfield Tel. Co	Kingsville			5,157 26	1,890 00		1,510 00		144		
South Leeds & Pittsburg Tel. Co	Gananoque	12,180 00	4,000 00	5,250 00	3,000 00	50 00	2,418 13		223	2	738 00
South Malahide Tel. Co., Ltd	Aylmer West	9,376 00		9,376 00	4,241 61		3,494 00		740	5	3,075 00
South Sissons Private Line	Bethany										
South McNaughton Tel. Asso	Renfrew	500 00		700 00	75 00		75 00		13		
Sparta Tel. Co	Sparta	4,968 00		5,365 00	2,180 20		2,143 29		160	4	720 50
South Plantagenet Tel. Co., Ltd	Riceville	3,200 00	3,100 00	6,407 25	1,680 00	355 26	800 00		112	2	250 00
Spey River Tel. Asso	Owen Sound			300 00	54 00		54 00		9		
Springbank Tel. Co., Ltd	Fordwich	2,070 00		3,120 00	1,015 00	52 27	780 00		112	2	137 00
Spring Creek Tel. Co	Sauble Falls			389 23	29 00		13 15		20	1	8 00
Spring Creek Tel. Asso	Woodstock			230 00	66 75		66 69		8		
Sprague Tel. Co	Mountain View			20,000 00	4,500 00	400 00	3,000 00		435	6	1,700 00
Stormont Tel. Co	Aultsville	1,400 00		2,200 00	408 39		348 39		36	2	68 00

St. Johns Tel. System	London			8,000 00	2,250 00		1,578 00		223	4	1,350 00
St. Marys, Medina & Kirkton Tel. Co.	Kirkton	38,259 00		51,504 52	8,922 96	198 91	5,496 00		990	11	4,496 00
Stratton Tel. Co	Stratton			1,756 25	368 20		279 00		39	3	279 00
Stroud Tel. Co., Ltd	Craigvale	7,500 00		10,600 00	2,613 65	200 00	2,465 44		185	7	700 00
St. Vincent Twp. Mun. Tel. System	Meaford		18,844 98	25,285 34	18,611 31	221 29	1,685 56		400	2	200 00
Swale Private Line	Wiarton			650 00	120 00	20 00	90 00		9		
Sullivan & Bentick Tel. Co	Chesley	2,300 00		639 60	52 00		52 00		13	1	52 00
Sullivan & Elderslie Tel. Co	Chesley			650 00	48 00		48 00		13		
Sunderland Tel. Co., Ltd	Sunderland	4,000 00		4,600 00	1,058 12	99 00	581 00		166	4	504 50
Sunny Valley Tel. Co	Chatsworth			200 00					9		
Sutton & N. Gwillimbury Tel. Co., Ltd	Newmarket	2,340 00	5,000 00	4,300 00	890 00		500 00		120	1	15 00
Tara-Keady Tel. Co	Tara	957 00		957 00	180 80		157 81		22	1	20 00
Tarbutt Mun. Tel. System	MacLennan		2,750 00	2,750 00	130 00	75 00	130 00		65	2	140 00
Tarentorus Tel. Co., Ltd	Sault Ste. Marie	5,000 00		1,100 00	400 00		175 00		26	1	32 00
Tay Mun. Tel. System	Victoria Harbour	4,432 18	9,500 00	9,926 64	850 00	251 50	850 00		181	4	850 25
Temiskaming & N. Ontario Ry. Com	Toronto		96,708 50	96,708 50	1,914 92	18,893 20	14,903 68		103	12	4,817 50
Temiskaming Tel. Co	New Liskeard	50,124 00	15,000 00	118,116 37	26,574 85	12,033 28	23,451 59		1,329	29	16,153 31
Thamesville Tel. Co., Ltd	Thamesville	8,970 00		31,179 55	6,032 74	780 75	3,267 15		461	6	2,618 35
Thedford, Arkona & E. Lambton Tel. Co	Thedford	10,000 00	1,700 00	13,865 85	4,958 81	87 89	2,656 58		264	4	1,315 70
Thompson Private Line	Elm Tree			300 00					3		
Thompson Rural Tel. Co	Hawkesville										
Tilbury West Mun. Tel. System	Comber		32,250 00	35,367 78	5,854 19	503 79	3,117 78		530	4	1,636 00
Townline, Brant & Elderslie Tel. Co.	Chesley										
Townline & Seventh Line Tel. Co	Beachburg			450 00	45 50		45 50		9	1	9 00
Tuckersmith Mun. Tel. System	Seaforth		42,713 00	42,713 00	10,016 35	349 50	4,812 81		688	2	1,620 00
Tye & Barr Tel. System	Milverton			12,174 00	1,801 95	171 72	2,373 17		189	3	877 95
Uhthoff Tel. Asso	Orillia	3,900 00		4,300 00	771 73		642 52		67	3	65 00
Udney Tel. Co., Ltd	Udney	3,500 00		3,500 00	240 00		240 00		50	1	15 00
Ungers Tel. Line	St. Williams			125 00	22 00		22 00		11		
Union Rural Tel. Asso	Cobden	900 00		900 00	170 00		170 00		22	1	12 00
Union Tel. Club	Owen Sound	570 00		570 00	109 72	1 60	114 05		18		
Union Tel. Co., Ltd	Drayton	7,535 00		17,200 00	4,710 00	184 18	2,576 00		316	2	1,284 00
United Tel. Co., Ltd	Denfield	35,000 00		38,416 40	6,724 81	583 77	3,946 80		550	5	2,885 85
Urban & Rural Tel. Co., Ltd	Bothwell	16,000 00		20,884 14	7,183 68	168 55	3,276 01		356	8	2,475 72
Uptergrove Tel. Asso	Uptergrove			728 00	106 60		106 60		13		
Valentia Central Line	Valentia	1,100 00		1,675 00	415 98		195 64		55	1	15 00
Violet Hill Tel. Asso	Camilla			660 00	85 00	13 80	85 00		14	2	15 00
Village Tel. Line	Little Britain			450 00	50 00		50 00		15	2	30 00
Verner Tel. Co	Verner			300 00	120 00		30 00		16		
Vespra Mun. Tel. System	Barrie		8,750 00	9,500 00	2,350 00		900 00		154	1	120 00
Wallacetown & Lake Shore Tel. Asso., Ltd	Wallacetown	3,310 00		3,310 00	2,639 26		2,631 73		200	3	866 60
Walsingham Centre & Port Rowan Tel. Co	Port Rowan			800 00	52 00		52 00		26	2	50 00
Waterloo Mun. Tel. System	Preston		18,360 00	21,040 56	1,759 78		1,618 42		322	6	1,200 00
Welland County Tel. Co., Ltd	Bridgeburg	48,325 00	13,800 00	80,947 36	13,989 72	667 29	6,591 23		1,055	13	5,460 00
West Garafraxa Tel. Co., Ltd	Belwood	2,043 80		3,426 73	600 83		518 78		65	2	251 95

TABLE 1.—Statement of Capital, Cost, Revenue, Operating Expenses, Number of Telephones, Employees, etc.—*Concluded.*

Name of Company.	Address.	Capital Stock.	Funded Debt.	Cost Property and Equipment.	Revenue.	Long Distance Receipts	Operating Expenses.	Number of Telephones.		Employees and Remuneration.	
								Central.	Magneto	No.	Amount.
Ontario—Con.		$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.				$ cts.
Westmeath Tel. Asso. No. 1	Beachburg	1,650 00		1,650 00	140 00	6 50	140 00		34	1	21 00
Westmeath & Beachburg Tel. Asso.	Beachburg			2,375 65	157 65	20 65	277 65		47	1	20 00
Westmeath & Seventh Line Tel. Co.	Beachburg			800 00	100 00		100 00		15	1	10 00
West Williams Tel. Asso.	Strathroy	6,523 00	784 00	7,100 00	1,184 00	19 95	1,084 68		130	4	655 60
Westport Tel. Co	Westport	6,148 75		16,593 45	3,355 28	228 10	2,076 20	88	180	4	1,726 20
Wheatley Tel. Co., Ltd	Wheatley	13,933 50		17,941 25	3,400 23	11 35	2,516 99		330	6	1,696 00
Widdifield Mun. Tel. System	North Bay		3,600 00	3,476 29	232 07		232 07		39	1	35 00
Wiarton & Lake Charles Tel. Co	North Keppel	3,000 00		3,000 00	250 00	40 00	200 00		48	1	75 00
Wightman Tel. Co	Clifford			14,000 00	2,700 00	50 00	1,700 00		255	4	1,700 00
Windham Tel. Co	Delhi	1,500 00		1,600 00	325 00	4 00	175 00		23		
Wilson Private Line	Milton			150 00	40 00	36 00	40 00		6		
Woodbridge & Vaughan Tel. Co	Maple	10,000 00		32,655 04	9,128 12	674 44	7,638 31		582	10	3,479 92
Woodford Tel. Club	Woodford			2,050 00	210 00		210 00		28	1	20 00
Woodville Glen Tel. Co	Woodville			851 32	99 00	35 00	93 80		19	2	15 50
Wolford Tel. Co., Ltd	Easton's Corners	3,150 00		3,500 00	800 00	40 00	350 00		72	3	225 00
Wolftown Tel. Asso	Cobden			925 00	243 70		240 00		18	1	27 25
Wroxeter Tel. Co., Ltd	Wroxeter	16,998 00		14,600 00	3,247 75	87 85	1,509 87		307	2	1,065 95
Yarker Rural Tel. Co	Moscow	2,400 00		2,400 00	120 00		120 00		60	2	90 00
Yarmouth Tel. Co., Ltd	New Scrum	2,460 00		2,867 06	1,132 73		1,077 29		82	4	370 00
Zion Central Line	Little Britain										
Zion Tel. Asso	Cobden	735 00		575 00	126 00		118 00		18		
Zorra Tel. Asso	Embro	3,620 00	1,000 00	6,900 00	2,079 12		1,559 32		139	2	570 22
Totals		2,089,924 55	2,012,698 44	5,503,712 17	956,671 17	85,758 19	681,725 92	136,650	112,330	6,626	3,237,714 23

TABLE 2.—Statement of Wire Equipment—Urban and Rural.

Name of Company.	Address.	Urban.					Rural.				
		Galvanized	Copper Wire.				Galvanized.	Copper Wire.			
		Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.	Single Wire.	Single Wire.	Overhead.	Underground.	Submarine
Ontario.		Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Mile.	Miles.
"A" Line Telephone Co.	Richards Landing						15·00				
Aberdeen—Plummer Centre Tel. Co.	Plummer						41·50				
Admaston Tel. Asso.	Admaston Station						28·00				
Addison Tel. System	Addison						101·00				
Aldboro Farmers Tel. Asso.	Rodney						185·00				
Alba Tel. Asso.	Pembroke						175·00				
Albertville Tel. Co.	Kingville										
Allenford Tel. Co.	Allenford						80·00				
Algoma Central & Hudson Bay Ry. Co.	Sault Ste. Marie						195·60	604·50			
Algoma Eastern Ry. Co	Sault Ste. Marie							170·88			2·40
Ahmic Tel. Co. Ltd.	Ahmic Harbour						199·00				
Alice Tel. Co.	Pembroke						20·00				
Alnwick, Tel. Co. Ltd.	Roseneath	1·00					44·00				
Amable Tel. System	Hepworth						20·00				
Amaranth Tel. Asso.	Grand Valley						35·00				
Ansonia & Thessalon Tel. Co.	Little Rapids						47·00	1·00			
Apsley Tel. Co. Ltd	Apsley						42·00				
Ardtrea Tel. Asso.	Orillia						61·00				
Armstrong Tel. Co.	Earlton						8·00				
Arran No. 1 Tel. Co.	Tara						68·00				
Ashgrove Tel. System	Georgetown						3·00				
Ayr Tel. Co., Ltd.	Ayr						168·00				
*Bell Tel. Co. Ltd.	Montreal			121,283·00	272,615·00	535·00	119,738·00				
"B" Tel. Co.	Richards Landing						3·00				
Back Line Tel. Co.	Melancthon						11·00				
Balaclava Tel. Club.	Balaclava						43·00				
Balderson Tel. Asso.	Balderson						35·00				
Balsam Hill Tel. Asso.	Renfrew						15·00				
Balsam Grove Tel. Co.	Cameron										
Barrie-Angus Tel. Line	Angus						57·00				
Barrie Island Mutual Tel. Co.	Barrie Island						24·00				
Barrett Tel. Asso.	Port Rowan						5·00				
Barton & Binbrook Tel. Co. Ltd.	Hamilton						262·00				
Beaver Tel. Co.	Woodville										

*These figures relate to Ontario only.

TABLE 2.—Statement of Wire Equipment—Urban and Rural. *Continued.*

Name of Company.	Address.	Urban.					Rural.				
		Galvanized	Copper Wire.				Galvanized.	Copper Wire.			
		Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.	Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.
Ontario—Con.		Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.
Beaver Valley Mun. Tel. System	Thornbury						400·00		75·00		
Beaver Tel. Co.	Woodville						5·00				
Beaver Mills Rel. Line	Cannington						2·50				
Beatty Tel. System	Garden Hill						75·00				
Beatrice Tel. Asso.	Beatrice										
Beckwith & Montague Tel. Co.	Franktown						27·00				
Beeton Tel. Co. Ltd.	Beeton						800·00				
Belmont Co-op. Tel. Asso.	Belmont						181 00				
Berwith Private Line	Grand Valley						27·50				
Bethany Union Tel. Co.	Bethany						115·00				
Bethesda Mutual Tel. Co.	Bowmanville						6·00				
Bethesda & Stouffville Tel. Co., Ltd.	Stouffville	100·00		100·00			280·00		50·00		
Bethel Rural Tel. Asso.	Dundalk						7·50				
Billings Mutual Tel. Co.	Kagawong						22·00				
Blanchard Private Line	Cannington						10·00				
Blenheim & South Kent Tel. Co. Ltd.	Blenheim	40·00	42·00				608·00				
Blind Line Tel. Co.	Woodford						7·00				
Blyth Mun. Tel. System	Blyth	7·00	1·00	117·00			597 00	9·00			
Bobcaygeon Tel Co.	Bobcaygeon						40·00				
Bolton Tel. Co., Ltd.	Bolton			90·00			700·00				
Bond Corners Tel. System	Woodstock						2·50				
Bond Tel. Co.	Chesley						13·50				
Bonsfield Private Line	Milton						1·50				
Bowesville Mutual Tel. Asso.	Bowesville						15·00				
Bowman Tel. System	Elmwood						82·00				
Bracebridge & Muskoka Lakes Tel. Co.	Bracebridge						254 00	46·00			
Bradden Tel. Asso.	Latta						400·00	42·00			
Brigham Tel. Line	Hanover						100·00				
Brighton Mun. Tel. System	Brighton						250·00				
Bromley Tel. Asso.	Douglas						26·00				
Bromley Line Tel. Asso.	Cobden						36·00				
Brookdale Tel. Co.	Napanee						16·00				
Brooke Mun. Tel. System	Inwood	7·00		3·00			803 00				
Brougham & Gratton Tel. Co. Ltd.	Hyndford						18·00				
Bruce Mun. Tel. System	Tiverton		212·00	310·00			573·00	22·00			

Brussels, Morris & Gery Mun. Tel. System	Brussels	57·00		2·00			430·00					
Brussels Village Mun. Tel. Corp.	Brussels											
Burgessville Tel. Co. of Ont. Ltd.	Woodstock						600·00					
Burnt River Tel. Co. Ltd.	Burnt River						180·00					
Byron Tel. Co., Ltd.	Delaware						524·00					
"C" Tel. Line	Sea Gull											
Calabogie & Renfrew Tel. Asso.	Ashdad	50·00					60·00					
Cambray Tel. Union	Cambray						12·50					
Camden Indep. Tel. Co.	Newburg						140·00					
Caradoc—Ekfrid Tel. Co., Ltd.	Melbourne	4·50		·25			565·00					
Cameron Tel. Union	Cameron						57·00					
Canadian Machine Tel. Co., Ltd.	Toronto	25·00	38·00	1,427·00	2,000·00		325·00	370·00	291·00			
Cannon Tel. Line	Sharbot Lake						30·00					
Carlsruhe Tel. Co.	Carlsruhe						9·00					
Carholme & Walsingham Tel. Co.	Silver Hill						6·00					
Central Dufferin Tel. Co. Ltd.	Shelburne						27·00					
Central Tel. Line	Richards Landing						15·00					
Centre Road Tell. Club	Annan						52·50					
Centre Thorah Tel. Asso.	Beaverton						17·00					
Chamberlain Private Line	Wheatley						218·00					
Champlain Point Tel. System	Orillia						1·00					
Chatsworth Rural Tel. Co.	Chatsworth						118·00					
Chelmsford Tel. Co.	Chelmsford	26·00		3·00			52·00					
Chinquacousy Local Tel. Co.	Cheltenham						200·00					
Chippawa Hill Tel. Club	Southampton						26·50					
Cochrane Tel. Co.	Cobalt			112,00			36·00					
Coe Hill Rural Tel. Co	Coe Hull	40·00					50·00					
Colborne Mun. Tel. Co.	Goderich						150·00					
Colchester North Tel. System	Essex						237·00					
Coldstream Tel System	Coldstream	6·00	18·00				116·00					
Conn Tel. Co., Ltd.	Conn						145·00					
Consolidated Tel. Co.	Caledon						360·00					
Cordova Mines Tel. Co.	Cordova Mines						6·00					
Coulson-Jarratt Tel. Asso.	Jarratt						90·00					
Cramahe Mun. Tel. System	Colborne						125·00					
Crediton Rural Tel. System	Crediton						110·00					
Crews Tel. Line	Trenton						7·50					
Crown Hill Tel. Asso.	Barrie											
Dawn Mun. Tel. System	Dresden						380·00					
Delphi Tel. Asso.	Camperdown						5·00					
Derby Tel. Asso.	Owen Sound						88·00					
Dereham Tel. Co., Ltd.	Brownsville						240·00		1·00			
Desboro Teo. System	Desboro						60·00					
Dingwall Tel. Asso.	Woodstock						6·50					
Doane Tel. Co.	Newmarket						8·00					
Dora Bay Tel. Co.	Golden Lake						21·00					
Dover Mun. Tel. System	Bear Line						306·00		150·00			
Dresden Tel. Co.	Dresden						480·00					
Drummond & Elmsley Tel. Asso.	Perth						17·00					
Drummond Centre Tel. Asso.	Perth						122·00					

TABLE 2.—Statement of Wire Equipment—Urban and Rural.—*Continued.*

Name of Company.	Address.	Urban.					Rural.				
		Galvanized	Copper Wire.				Galvanized	Copper Wire.			
		Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.	Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.
Ontario—Con.		Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Mile.	Miles.
Dryden Mun. Tel. Co.	Dryden										
Dunville Consolidated Tel. Co., Ltd.	Dunville			269·00			532·00				
Dunsford Tel. Light & Power Asso.	Dunsford						110·00				
Dunwich & Dutton Tel. Asso. ,Ltd.	Dutton	20·00					165·00				
Durham Union Tel. Co.	Orono										
East Darlington Tel. Asso.	Bowmanville						3·00				
East Grey Tel. Co.	Markdale						40·00				
East Luther Tel. Co.	Grand Valley	7·00					68·00				
East Middlesex Tel. Co., Ltd.	Thorndale	8·00		31·00			124·00				
East Woodville Tel. Asso.	Woodville						8·25				
Eden Tel. Co.	Woodville						18·00				
Edenvale Tel. Co.	Edenvale						6·00				
Edgar Tel. Line	Laurel						160·00				
Elderslie-Salem Tel. Asso.	Dobbinton						22·00				
Eldon Union Tel. Asso.	Beaverton						33·00				
Elgin-Chaffey's Lock Tel. Co.	Chaffeys Lock						13·00				
Elizabeth Bay Mutual Tel. Co.	Elizabeth Bay						9·00				
Ellis Rural Tel. Co.	Cannington						4·50				
Emo Mun. Tel. Co.	Emo		9·00	7·50			226·00	12·00			
Enterprise Tel. Asso.	Steelton						2·50				
Enterprise Tel. Co.	Enterprise	1·00					6·00				
Erie Tel. Co., Ltd.	Selkirk	75·00		172·00			931·00				
Ernst Private Line	New Hamburg						280·00				
Emphrasia Mun. Tel. System	Markdale						82·00				
Everett Tel. Co.	Everett						40·00				
Evergreen Tel. Co.	Dougals						9·00				
Falkirk Tel. Co.	Denfield	15·00					150·00				
Fall River Tel. Asso.	Maberly						16·00				
Fairview Tel. Asso.	Woodstock						4·50				
Fairview Tel. Co.	Antem Mills						8·00				
Farmers Union Tel. Co.	Richards Landing						12·00				
Fenelon Rural Tel. Asso.	Cameron						8·50				
Fenelon Falls Tel. Co.	Fenelon Falls										
Fenella Tel. Co., Ltd.	Fenella						35·00				
Fifth Line Tel. Club	Bognor						26,00				

Fingal Tel. Co., Ltd.	Fingal								180·00	...								
Fingerboard Tel. Co.	Sonya								9·00									
Floss Mun. Tel. System	Elmvale								301·00			94·00						
Fordwich Tel. Co.	Fordwich								124·00									
Forest Home Tel. Co.	Orillia								13·00									
Fort Frances Tel. Co.	Fort Frances		151·50	241·00					19·00									
Fort William Tel. Co., Corp. of	Fort William	518·30	10 595·48	9·17	37·50	1·00			90·50									
Fourth Line Tel. Asso.	Perth								2·25									
Fourth Line Tel. Asso.	Cobden								6·00									
Fourteenth of Brant Tel. Co.	Chesley								4·50									
Frazier Tel. Asso.	Woodstock								3·25									
Fretts & Brisco Co-op. Tel. Co.	Napanee								40·00									
Gawas & Shore Road Tel. Line	Gawas Bay								13·00									
Germanicus Tel. Asso.	Germanicus								17·00									
Gillies Hill Tel. Asso.	Chesley								6·00									
Gillies Private Line	Tobermory								175·00									
Glaister Tel. System	Wellesley								260·00			17·00						
Glandine Central Line	Little Britain								14·00									
Glasgow Tel. System	Cannamore		20·00	3·00					600·00	8·00								
Glen Eden Tel. Club	Owen Sound								10·00									
Glen Tel. Asso.	Bethany																	
Glengarry Co-op. Tel. Asso.	Alexandria								200·00									
Gloucester Twp. Tel. Asso.	Carlsbad Springs								9·00									
Goderich Rural Tel. Co., Ltd.	Dungannon								880·00			20·00						
Goderich Twp. Mun. Tel. System	Clinton								244·00									
Goodwood Tel. Co., Ltd	Carleton Place																	
Gordon Tel. Co.	Foxey								15·00									
Gore Mutual Tel. Asso.	Harrow								1·50									
Gosfield North Mun. Tel. System	Cottam								130·00								·50	
Goulais Bay Tel. Club	Goulais River								54·00									
Green Hill Tel. Co.	Markdale								4·00									
Greenwood Tel. Club	Sault Ste. Marie								3·50									
Grunwall Tel. Line	Huntsville								9·50									
Guest Private Line	Douglas								3·00									
Haldimand Mun. Tel. System	Gratton								74·00			11·00						
Haldimand Rural Tel. Co.	Grafton								114·00									
Halton Tel. Co., Ltd.	Hornby								380·00									
Haley's Station Tel. Asso.	Cobden								10·00									
Hamilton Tel. Line	Bethany																	
Hamilton Rural Tel. Co.	Gold Springs								200·00									
Hartley Tel. Co.	Hartley								24·00									
Harvey Mun. Tel. System	Peterboro								30·00									
Harrietsville Tel. Asso. Ltd.	Harrietsville								436·00									
Harwood Rural Tel. Co.	Harwood								8·00									
Hawley Tel. Asso.	Bath								14·00									
Hawthorn Hill Tel. Co., Ltd.	Palmerston								212·00									
Hay Twp. Mun. Tel. System	Zurich								165·00	5·00								
Hazeldean Tel. Co., Ltd	Hazeldean								85·00									
Henderson & Milling Tel. Line	Napanee								46·00									
Hendersons Private Line	Cannington								17·00									

TABLE 2. Statement of Wire Equipment - Urban and Rural.—*Continued.*

Name of Company.	Address.	Urban.					Rural.				
		Galvanized.	Copper Wire.				Galvanized.	Copper Wire.			
		Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.	Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.
Ontario—Con.		Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.
Heric Tel. Line	St. Clements						19·00				
Herrington Tel. Co.	Napanee						14·00				
Highland Tel. Co., Ltd.	Ruskview						74·00				
Highland Tel. Co.	New Liskeard						61·00				
Hinton & Jocelyn Tel. Co.	Carterton						8·00				
Hoath Head & Grey Tel. Co.	Owen Sound						20·00				
Hollow Glen Tel. Co.	Breckenridge										
Hopetown Tel. Asso.	Lanark						160·00				
Hoover Tel. Co.	Nanticoke						9·00				
Horton & McNab Tel. Co., Ltd.	Braeside						96·00				50
Houghton & Bayham Tel. Co., Ltd.	Fairground						130·00				
Houghton, Bayham & Tillsonburg Tel. Asso.	Kinglake						85·00				
Houghton & S. Walsingham Tel. Co.	Clear Creek						30·00				
Huron & Kinlose Mun. Tel. System	Ripley						872·00		35·00		
Hyndman's Private Line	Exeter						20·00				
Huntsville & Portage Tel. Co.	Huntsville						55·00				10·00
Huntsville & Lake of Bays Tel. Co.	Port Cannington						114·00				
Indian River Tel. Co.	Pembroke						10·00				
Ingersoll Tel. Co., Ltd.	Ingersoll	233·00	2·00	312·00	57·00		2,760·00				
Ingleside Tel. Asso.	Woodstock						8·50				
Innerkip Rural Tel. Co.	Innerkip						500·00				
Innisfail Tel. Asso.	Lefroy						78·00				
Islay Tel. Co.	Woodville						21·00				
Ivy-Thorton Tel. Co., Ltd.	Ivy						59·00				
Jackson Tel. Co., Ltd.	Owen Sound						95·00				
Johnson & Brandon Tel. Co.	Cannington	·50					4·50				
Johnstone Private Line	Barrie										
Johnston (Dr.) Private Line	Jannetsville						30·00				
Johnson Mun. Tel. System	Port Lock						30·00				
Kalader & Northern Tel. Co.	Northbrook						32·00				
Kemble-Sarawak Tel. Co., Ltd.	Kemble						100·00				
Kenora, Town, of, Tel. System	Kenora	715·00		350·00							
Kerr Line Tel. Asso.	Forresters Falls						8·00				
Keward Rural Tel. Co.	Chatsworth						11·00				

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TABLE 2.—Statement of Wire Equipment—Urban and Rural.—*Continued.*

Name of Company.	Address.	Urban.					Rural.				
		Galvanized	Copper Wire.				Galvanized.	Copper Wire.			
		Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.	Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.
Ontario—Con.		Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles	Mile.	Miles.
Melanethon Tel. Asso.	Corbetton						56·00				
Metcalfe Tel. Co., Ltd.	Metcalfe						210·00				
Millard Tel. Line	Coldwater						20·00				
Mills Tel. Co.	Thamesford						60·00				
Mink Lake Tel. Co.	Eganville						17·00				
Minesing Tel. Asso.	Minesing						32·50				
Minto Rural Tel. Co., Ltd.	Harriston						171·00	3·00			
Mississippi	Lanark						98·00				
Molesworth Indep. Tel. Co., Ltd.	Listowell						45·00				
Monk Rural Tel. Co., Ltd.	Carp						905·00		17·00		
Monteith-Dempsey Tel. Co.	Stratford						74·00	2·00			
Mono Mills Tel. Asso.	Mono Mills						100·00				
Mooreburg-Desboro Tel. Asso.	Desboro						10·00				
Moore Mun. Tell System	Brigden	10·00		8·50		0·75	662·00				
Moore Private Line	Brooklin						20·00				
Montrose Central Line	Little Britain										
Mornington & Wellesley Tel. Asso. Ltd.	Millbank						164·00				
Mount Albert Tel. Co., Ltd.	Mount Albert						450·00				
Mount Granite Tel. Club	Sault Ste. Marie						6·00				
Mount Forest, Wellington & Grey Tel. Co., Ltd.	Mount Forest						125·50				
Moscow Mutual Tel. Asso.	Moscow						55·00				
Murray-Brighton Tel. Co.	Wooler						350·00		1·00		
Muskoka Independent Tel. System	Martin Siding						81·00				
Muskoka, Victoria & Haliburton Tel. Co.	Uffington						23·00				
Muskoka River Tel. Co.	Alport						4·00				
Muskrat Tel. Asso.	Cobden						8·00				
Mutual Tel. Asso.	Orillia						1·00				
MacDonald Rural Tel. Co.	Sylvan Valley						30·00				
McDonald Tel. Co.	Trenton						6·75				
McEachren Rural System	Linwood										
McHardy Private Line	Merlin						13·50				
McKillop Logan & Hibbert Tel. Co.	Staffa	5·00					260·00				
McKillop Tel. System	Seaforth			1·25			250·00				
McNab Tel. Co., Ltd.	Arnprior						120·00				

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TABLE 2.—Statement of Wire Equipment—Urban and Rural.—*Continued.*

Name of Company.	Address.	Urban.					Rural.				
		Galvanized.	Copper Wire.				Galvanized.	Copper Wire.			
		Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.	Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.
Ontario—Con.		Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.
Pelee Is. Mun. Tel. System	Pelee Island						101·00				
Penhurst Tel. Asso.	Woodstock						3·00				
Peoples Mutual Tel. Co., Ltd.	Picton						126·00	22·00			
Peoples Tel. Co. of Forest Ltd.	Forest						435·00				
Peoples Tel. & Teleg. Co., Ltd.	Maynooth	20·00		4·75			365·00				
Percy Mun. Tel. System	Warkworth						125·00				
Perth & Christies Lake Tel. Asso.	Perth						60·00				
Perry Tel. System	Napanee										
Pine Grove Tel. Asso.	Orillia						2·00				
Pioneer Tel. Co., Ltd.	Thornloe						112·00				
Pioneer Tel. Asso.	Woodstock						12·00				
Pleasant View Tel. Asso.	Owen Sound						8·00				
Plum Hollow & Eloida Tel. Co.	Athens						40·00				
Plummer Aberdeen & Galbraith Tel. Co.	Ophir						39·00				
Plummer Additional & Lefroy Mun. Tel. System	Bruce Mines						32·00				
Pontypool Tel. Lt. & Power Co.	Pontypool						10·00				
Porcupine Tel. Co.	Cobalt	39·00					87·00	18·00	115·00		
Port Hope Tel. Co., Ltd.	Clarke						343·00				
Port Arthur Mun. Tel. System	Port Arthur	260·00	50·00	4,200·00	3,200·00						
Port Rowan Rural Tel. Co.	Port Rowan	6·00					32·00				
Port Stanley Tel. Co.	Port Stanley										
Prescott Tel. Co., Ltd.	Routhier										
Princeton & Drumbo Tel. Co., Ltd.	Princeton						406·00	10·00	100·00		
Progressive Agri. Tel. System	Sault Ste. Marie						14·00				
Port Hoover Tel. Co.	Sonya						8·50				
Queens Line Tel. Asso.	Queens Line						9·00				
Quinlan Tel. System	Stratford						50·00				
Rainy River Tel. Co.	Rainy River	171·00		1·00							
Rankin Tel. Co.	Pembroke						18·00				
Ravenscliffe Tel. Co., Ltd.	Ravenscliffe						43·00				
Raymond Tel. Asso.	Raymond						20·00				·25
Reid Private Line	Westmeath						10·00				
Richardson's Private Line	Nipissing						20·00				
Richards Landing Tel. Club	Richards Landing						6·00				

Rideau View Tel. Asso.	Billing's Bridge												
Riverside Tel. Co.	Woodstock							9·25					
Riverdale Tel. Asso.	Napanee							4·00					
Rochester Mun. Tel. Co.	Woodslee							100·00					
Roch Fendue Tel. Co.	Beachburg							8·00					
Robison Tel. Co.	Silverwater							14·00					
Rockwood & Oustic Tel. Co.	Rockwood							39·00					
Romney Tel. System	Wheatley							24·00					
Rosedale Tel. Co.	Fenelon Falls							15·00					
Rose Mutual Tel. Co.	Rydal Bank							16·00					
Rox Tel. Co.	Cobden							9·00					
Rosedale Rural Tel. Co.	Sydenham							6·50					
Roxborough Ind. Tel. Co.	Sandringham		10·00					70·00					
Russell Tel. System	Baliebow							60·00					
Russell Rural Tel. Co.	Navan							90·00					
Rockton Tel. Asso.	Shelburne							41·00					
Salem Tel. Asso.	Bowmanville							7·00					
Salkeld-Andrews Tel. Co.	Goderich	1·00						1·50					
Sebright Tel. Asso.	Sebright	12·00						30·00					
Sandwich South Mun. Tel. System	Maidstone							150·00		12·00			
Sandwich West Tel. Asso.	Loiselleville							127·00					
Saugeen Tel. Co.	Southampton							10·00					
Saugeen Tel. Asso.	Hanover							8·00					
Scarboro Tel. Co., Ltd.	West Hill							500 00					
Schomberg Tel. Co., Ltd.	Schomberg							286·00					
Scotch Corners Tel. Asso.	Carleton Place							8·00					
Scotch Line & Micaville Tel. Asso.	Perth							52·00					
Second Line Drummond Tel. Asso.	Perth							16·00					
Scratch & Palmer Tel. Co.	Kingsville							2·00					
Selby Tel. Co.	Newburgh							90·00					
Shamrock & Renfrew Tel. Asso.	Renfrew	1·00						31·00					
Section Tel. Asso.	Kingsville							4·00					
Shinuah Tel. Co.	Port Arthur							224·00	0·25				
Silcote Tel. Club	Anan							36·00					
Shamrock Central Line	Cresswell							7·50					
Sidney Bell Tel. Asso.	Belleville							28·00					
Sitzer Tel. Co.	Milton West							5·00					
Slate River Local Mun. System	Slate River Valley							28·00	10·00				
Snake River Tel. Asso.	Cobden							43·00					
Sonya Tel. Co.	Cresswell							9·00					
South Brant Tel. Co.	Walkerton							18·00					
South Bruce Tel. Co., Ltd.	Illswater							388·00					
South Colchester Tel. Asso.	Harrow							4·00					
South Crosby Tel. Co.	Elgin	5·00		5·50				308·00					
South Diagonal Tel. Co.	Owen Sound							78·00					
Southwald & Dunwich Tel. Co., Ltd.	Shedden	5·00						121·00					
South Elmsley Tel. Co., Ltd.	Lombardy							65·00					
South Elderslie Tel. Asso.	Chesley							18·00	0·50				
South Gosfield Tel. Co.	Kingsville							117·00					
South Leeds & Pittsburg Tel. Co.	Gananoque							62·00					

TABLE 2.—Statement of Wire Equipment—Urban and Rural.—*Concluded.*

Name of Company.	Address.	Urban.					Rural.				
		Galvanized	Copper Wire.				Galvanized.	Copper Wire.			
		Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.	Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.
Ontario—Con.		Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.
South Malahide Tel. Co.	Aylmer West						350·00				
South Sissons Private Line	Bethany										
South McNaughton Tel. Ass.	Renfrew						5·00				
Sparta Tel. Co.	Sparta						140·00				
South Plantagenet Tel. Co., Ltd.	Riceville						202·00				
Spey River Tel. Asso.	Owen Sound						2·25				
Springbank Tel. Co., Ltd.	Fordwich						160·00				
Spring Creek Tel. Co.	Sauble Falls						18·00				
Spring Creek Tel. Asso.	Woodstock	1·00					2·00				
Sprague Tel. Co.	Mountain View						450·00				
Stormont Tel. Co.	Aultsville						13·00				
St. Johns Tel. System	London						70·00				
St. Marys Medina & Kirkton Tel. Co.	Kirkton			12·00			760·00				
Stratton Tel. Co.	Stratton						35·25				
Stroud Tel. Co., Ltd.	Craigvale						139·00	1·00			
St. Vincent Twp. Mun. Tel. System	Meaford						56·00				
Swale Private Line	Wiarton	2·00					18·00				
Sullivan & Bentick Tel. Co.	Chesley						10·00				
Sullivan & Elderslie Tel. Co.	Chesley						6·50				
Sunderland Tel. Co., Ltd.	Sunderland						116·30				
Sunny Valley Tel. Co.	Chatsworth						2·50				
Sutton & N. Gwillimbury Tel. Co., Ltd.	Newmarket	1·00					24·00				
Tara-Keady Tel. Co.	Tara						12·00				
Tarbutt Mun. Tel. System	MacLennan						23·00				
Tarentorus Tel. Co., Ltd.	Sault Ste-Marie						14·00				
Tay Mun. Tel. System	Victoria Harbour	30·00					140·00	12·00			
Temiskaming & W. Ontario Ry. Com.	Toronto	10·00		1·00			319·00	873·00			
Temiskaming Tel. Co.	New Liskeard	30·00		350·00			320·00				
Thamesville Tel. Co., Ltd.	Thamesville	50·00	1·00	10·00			460·00	2·00			
Thedford, Arkona & E. Lambton Tel. Co.	Thedford	10·00					112·00				
Thompson Private Line	Elm Tree						12·00				
Thompson Rural Tel. Co.	Hawkesville										
Tilbury West Mun. Tel. System	Comber						400·00		16·00		
Townline Brant & Elderslie Tel. Co.	Chesley										
Townline & Seventh Line Tel. Co.	Beachburg						6·00				

Tuckersmith Mun. Tel. System	Seaforth						1,110·00				
Turners Private Line	Millbrook										
Tye & Barr Tel. System	Milverton						112·00				
Uhtoff Tel. Ass.	Orillia						102·00				
Udney Tel. Co., Ltd.	Udney						60·00				
Ungers Tel. Line	St. Williams						7·00				
Union Rural Tel. Asso.	Cobden						12·00				
Union Tel. Club	Owen Sound						6·00				
Union Tel. Co., Ltd.	Drayton						110·00				
United Tel. Co., Ltd.	Denfield						300·00				
Urban & Rural Tel. Co., Ltd.	Bothwell	8·00					511·00				
Uptergrove Tel. Asso.	Uptergrove						14·00				
Valentia Central Line	Valentia						28·00				
Violet Hill Tel. Asso.	Camilla						20·00				
Village Tel. Line	Little Britain						3·00				
Verner Tel. Co.	Verner						1·00				
Vespra Mun. Tel. System	Barrie						168·00				
Wallacetown & Lake Shore Tel. Asso. Ltd.	Wallacetown						50·00				
Walsingham Centre & Port Rowan Tel. Co.	Port Rowan	0·50					13·00				
Waterloo Mun. Tel. System	Preston			6·50			250·00				
Welland County Tel. Co., Ltd.	Bridgeburg	424·00		503·00	68·00		906·00				
West Garafraxa Tel. Co., Ltd.	Belwood						70·50				
Westmeath Tel. Asso No. 1	Beachburg						12·00				
Westmeath & Beachburg Tel. Asso.	Beachburg						36·00				
Westmeath & Seventh Line Tel. Co.	Beachburg						7·00				
West Williams Tel. Asso.	Strathroy						156·00				
Westport Tel. Co.	Westport	10·00		5·00			135·00				
Wheatley Tel. Co., Ltd.	Wheatley	5·00					305·00				
Widdifield Mun. Tel. System	North Bay						49·00				
Wiarton & Lake Charles Tel. Co.	North Keppel						30·00				
Wightman Tel. Co.	Clifford						65·00				
Windham Tel. Co.	Delhi						32·00				
Wilson Private Line	Milton						2·00				
Woodbridge & Vaughan Tel. Co.	Maple			25·00			430·00				
Woodford Tel. Club	Woodford						128·00				
Woodville Glen Tel. Co.	Woodville						10·00				
Welford Tel. Co., Ltd.	Eastons Corners						38·00	10·00			
Wolfton Tel. Asso.	Cobden						11·00				
Wroxeter Tel. Co., Ltd.	Wroxeter	5·00		11·00			232·00				
Yarker Rural Tel. Co.	Moscow						20·00				
Yarmouth Tel. Co., Ltd.	New Serum						40·00				
Zion Central Line	Little Britain										
Zion Tel. Asso.	Cobden						4·50				
Zorra Tel. Asso.	Embro						57·00				
Total		3,182·30	11,166·98	130,191·42	277,977·50	536·75	176,989·15	2,479·25	1,074·25	1·75	17·15

TABLE 3.—Statement of Capital, Cost, Revenue, Operating Expenses, Number of Telephones, Employees, etc.

Name of Company.	Address.	Capital Stock.	Funded Debt.	Cost Property and Equipment.	Revenue.	Long Distance Receipts.	Operating Expenses.	Number of Telephones.		Employees and Remuneration.	
								Central.	Magneto	No.	Amount.
Quebec.		$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.				$ cts.
Arundel Development Tel. Co.	Arundel	8,800 00	2,500 00	11,300 00	2,310 00	360 00	862 00		130	3	626 00
Asbestos Tel. Co	Asbestos	1,005 00		2,727 27	887 98		845 61		29	1	175 00
Beauce Tel. Co., Ltd	Beauceville	50,000 00		58,432 00	13,697 96	6,088 58	12,102 80		442	23	5,449 36
Bell Tel. Co., Ltd	Montreal	18,000,000 00	11,149,000 00	37,918,605 00	7,452,707 00	2,523,524 00	5,552,425 00	*65,329	*10,575	*2,997	*1,647,948 46
Bellevue Tel. Syndicate	Sherbrooke			520 56	89 00	9 44	83 63		9		
Belvidere Tel. Syndicate	Sherbrooke			295 00	35 00		30 00		5		
Blanchard Tel. Co	St. Marc			150 00					19		
Boisvert Private Line	Douville										
Bonaventure & Gaspe Tel. Co.	Paspebiac	60,200 00	14,000 00	88,897 00	10,787 00	4,972 00	7,089 00		471	18	4,180 00
Brompton Paper & Pulp Co.'s Line	East Angus			5,840 06	449 80	64 20	253 60		19	2	144 00
Brunette Private Line	St. Charles River	1,000 00		1,500 00	200 00	20 00	100 00		25	2	20 00
Chapeau Tel. Co., Ltd	Chapeau	3,180 00		5,380 00	900 00		500 00		56	2	220 00
Campbell's Bay Tel. Co., Ltd	Campbell's Bay	3,484 10	10,000 00	5,927 70	1,975 93	104 19	1,012 02		77	2	334 00
Canadian Tel. Co	Sawyerville	10,000 00		33,567 92	14,023 63	2,655 27	11,812 13		871	20	7,105 40
Centreville Tel. Co	Lachute			300 00	76 00		76 00		7		
Charlevoix & Saguenay Tel. Co., Ltd	Murray Bay	65,560 00		112,339 04	9,460 23	5,701 69	14,229 40		608	25	7,092 76
Chenier Tel. Co	Tingwick	2,750 00		6,284 67	384 27	8 50	384 27		106	3	337 77
Chateau Richer Tel. Co	Chateau Richer			300 00	125 00		75 00		13	1	25 00
Clarenceville North Tel. Co	Clarenceville	400 00		450 00	48 50		42 60		15		
Clarenceville & Wolf Ridge Tel. Co	Clarenceville			400 00	16 50		16 50		11		
Citizens Tel. Co	Dunham			14,500 00	4,500 00	600 00	3,000 00		375	10	2,750 00
Clarenceville & Nuts Corners Tel. Co	Clarenceville			1,450 00	110 75		110 75		29	1	64 00
Clarenceville & St. Thomas Local Tel. Co	Clarenceville			1,000 00	65 52		65 52		29		
Contrecœur Tel. Co	Contrecœur	600 00	1,500 00	1,700 00	550 00	60 00	255 00		39	3	250 00
Chatham Tel. Co	Brownsburg	750 00		645 00	68 47	26 18	6 00		16		
Cherry River Tel. Co	Magog	398 92		398 92	38 25		38 25		18	1	11 25
Compton Mutual Tel. Co	Compton	750 00		750 00	60 00		20 00		15		
Courcelles Tel. Co	Courcelles	800 00	2,100 00	2,200 00	600 00		95 00		53	1	95 00
Crystal Lake Tel. Co	Magog			400 00					12		
Daigle Tel. Co	Manseau	700 00		700 00	48 00		40 00		4		

Danis Private Line	Barrette	13,400 00	500 00	15,100 50	3,080 90	1,500 80	850 50	4	85	6	850 00
Daveluyville Tel. Co	Daveluyville	1,447 62	1,650 00	2,935 67	620 04		362 33		28	6	275 40
D'Israeli Local Tel. Co	D'Israeli	4,000 00	4,000 00	3,800 00	200 00	50 00	200 00		60	2	200 00
Dixville Tel. Co	Dixville			190 00	40 00		40 00		10		
Drummondville Tel. Co. Ltd	Drummondville	7,400 00		18,222 05	7,300 00	720 00	4,500 00		250	7	2,150 00
Dupuis Private Line	St. Christine										
Dorset Tel. Co	St. Hilaire	920 00		940 00	92 00		92 00		23	1	20 00
Eastern Townships Tel. Co	Sherbrooke	93,725 00	108,700 00	128,910 71	26,972 61	14,584 90	34,984 31		1,506	48	19,185 50
East Wakefield Tel. Co	Wakefield	2,500 00		2,445 75	545 00	14 86	482 73		46	3	105 00
Eustis Mining Co	Eustis										
Farmers Tel. Co., Ltd	Howick Station	26,824 00	29,604 36	56,562 27	6,168 00		5,601 17		511	10	4,010 00
Farrellton Tel. Co	Farrellton	8,920 00		12,855 00	1,419 65	65 80	850 00		166	4	850 00
Fleming Tel. Line	Kirk's Ferry			122 63					1		
Fortierville Tel. Co	Fortierville	1,200 00		1,200 00	175 00		90 00		12	1	60 00
Fourth Range Tel. Asso	Sherbrooke			400 00	60 00		60 00		10		
Foster & Bondville Private Line	Foster			600 00	60 00		60 00		15		
Fitch Bay Tel. Line	Fitch Bay			1,200 00	430 00		200 00		35	1	120 00
Garon Private Line	St. Gregoire	1,050 00		1,610 00	500 00		400 00		26	3	400 00
Garthby Local Tel. Co	Garthby Station			2,038 42	560 00		560 00		61	1	61 00
Gilinas Tel. Co	Club Shawinigan	1,600 00	500 00	1,600 00	321 00		50 00		5	2	50 00
Geneva Tel. Asso	Geneva	672 00		667 00	176 00		176 00		32	1	16 00
Gentilly Tel. Co	Deschaillons	1,503 77		1,503 77	284 75	96 98	110 45		30	3	107 95
Girouard Private Line	St. Barnabe Sud	1,500 00		1,500 00	375 00		75 00		25	1	20 00
Graham Private Line	Notre Dame de Grace	500 00		500 00	190 00		75 00		11	2	75 00
Henryville Tel. Co	Henryville	2,990 00	1,040 00	4,030 00	1,250 00		1,150 00		100	3	525 00
Hill Head Tel. Co	Lachute			375 00	40 00		40 00		7		
Hill Private Line	St. Armand West			10,000 00	2,000 00	3,000 00	2,000 00		400	4	1,580 00
Hollow Glen Tel. Asso	Breckenridge			360 00	10 00		10 00		10	1	10 00
Hunting Tel. Asso	Lennoxville	400 00		400 00	106 00		106 00		11		
Howard & Co.'s Private Line	Sherbrooke			2,000 00	200 00				28		
Kamouraska Tel. Co	Fraserville	108,700 00	90,000 00	209,431 73	23,955 43	8,084 33	15,326 67		1,455	46	9,000 00
Katevale Tel. Co	Katevale										
Kingsey Tel. Co	St. Felix de Kingsey	1,560 00	1,560 00	17,000 00	2,700 00	137 00	1,100 00		229	5	750 00
Larocque Tel. Co	Douville	100 00		100 00	100 00		100 00		4	1	100 00
Labaie Tel. Co	Labaie										
Lambton Tel. Co	Lambton	1,000 00		3,500 00	160 00		160 00		80	1	160 00
Lachute Tel. Co	Lachute	1,675 00		1,675 00	125 00		125 00		25	1	35 00
Lachute E. Mutual Tel. Asso.	Lachute	230 24		288 94	65 09		65 09		8		
Lac L'Achigan Tel. Asso	Montreal			2,000 00	180 00		25 00		7		
L'Avenir Tel. Co	L'Avenir	600 00	9,788 50	11,826 32	2,965 25		850 00		200	6	850 00
LaConception Tel. Co	LaConception	2,600 00		2,600 00	518 00		200 00		18		
Lake Valley Tel. Asso	Asbestos	575 00		625 00	25 00		6 00		14		
Laurentide Tel. Co	Pointe Gatineau	2,340 00		3,500 00	698 00	80 00	460 00		48	2	300 00
LaTuque Falls Tel. Co	LaTuque	4,000 00	5,000 00	4,000 00	1,200 00		1,000 00		70	1	500 00
Lake St. Jean & Chicoutimi Tel. Co	St. Joseph de Alma	75,000 00		75,000 00	3,200 00		3,000 00		1,100	28	2,000 00
Lievre River Tel. Co	Buckingham			30,000 00	4,965 71	2,834 06	4,566 03		151	4	1,860 00

*Province of Quebec only.

TABLE 3.—Statement of Capital, Cost, Revenue, Operating Expenses, Number of Telephones, Employees, etc.—*Continued.*

Name of Company.	Address.	Capital Stock.	Funded Debt.	Cost Property and Equipment.	Revenue.	Long Distance Receipts.	Operating Expenses.	Number of Telephones.		Employees and Remuneration.	
								Central.	Magneto	No.	Amount.
Quebec—Con.		$ cts.	$ cts	$ cts.	$ cts.	$ cts.	$ cts				$ cts.
Little Nation Tel. Co.	Cheneville	2,500 00	1,000 00	3,500 00	1,000 00	200 00	315 00		50	9	275 00
L'Epiphanie Tel. Co	L'Epiphanie										
Lotbiniere & Nicolet Tel. Co.	Deschaillons	5,666 50		5,666 50	887 81	432 61	1,032 66		66	5	399 28
Legault Private Line	Ile Perrot Nord	3,000 00		3,000 00	700 00	250 00	300 00		28	1	100 00
Magog Tel. Asso.	Magog			400 00	40 00		38 00		14		
Maniwaki Tel. Co.	Maniwaki	2,200 00		2,200 00	150 00	150 00	100 00		12	4	100 00
Maniwaki Electric Tel. Co.	Maniwaki	31,850 00	49,000 00	13,653 36	2,497 72		1,598 51	4	77	2	605 50
Mayo & Blanche Tel. Co.	Buckingham	1,305 00		2,304 36	250 15	48 75	114 44		20	1	49 80
Megantic Fish & Game Club Tel. Line	Woburn								2		
Megantic People's Tel. Co.	Inverness	30,600 00	12,534 50	46,000 00	8,450 00		4,505 67		740	8	3,000 00
Melbourne Ridge Tel. Co., Ltd	Kingsbury	1,000 00		2,970 00	845 00	26 00	410 00		55	2	70 00
Milby Tel. Co.	Lennoxville	300 00		300 00	106 00		7 00		12		
Miltimore Tel. Co.	Sweetsburg	10,000 00		10,000 00	3,000 00	500 00	2,500 00		150	3	500 00
Mountain View Tel. Asso.	Sherbrooke			570 00	164 00	8 00	148 55		17	1	8 00
Mount Royal Tel. Co.	Ville St. Laurent	20,000 00		23,000 00	4,267 75	293 65	3,848 00		244	6	3,198 00
National Tel. Co.	Levis	426,000 00	150,800 00	610,939 86	22,736 81	10,658 25	48,655 55	340	1,951	88	19,325 00
Nedelac Tel. Co.	NorthTemiskaming	1,026 00		1,200 00	152 25		152 25		21	2	73 50
Nicolet Tel. Co.	Nicolet	6,000 00		6,000 00	780 00		400 00		87	2	200 00
New London Tel. Asso.	Richmond			660 19	106 14		112 52		13		
Notre Dame de Ham Tel. Co.	Notre Dame de Ham	2,850 00	3,600 00	5,040 75	501 45		501 45		80	3	80 00
North Ham Tel. Co.	North Ham	8,448 00	8,331 00	8,760 00	1,600 00	25 00	300 00		180	2	300 00
Oliver's Corner Tel. Line	Magog			500 00	121 38		91 21		9		
Oxford Tel. Co.	Sherbrooke			250 00	75 00		42 00		5		
Parisville Tel. Co.	Parisville	1,773 96		1,773 96	389 71		389 71		29	2	100 00
Passumpsic Tel. Co.	Passumpsic			622 76	200 12	38 11	214 77		11		
Piche Tel. Line	Brebeuf	130 00		375 00	70 00		70 00		8	1	70 00
Pike River Farmers Tel. Co.	Stanbridge Station	2,000 00		2,000 00	300 00		86 00		30		
Perinet Tel. System	Woburn			2,000 00	150 00		90 00		13	2	60 00
Pinnacle Tel. Co.	Danville			1,741 00	436 00		261 61		39	2	61 00
Pontiac Tel. Co., Ltd.	Shawville	13,702 00		17,485 69	2,333 68	247 67	1,215 84		268	3	625 00
Portneuf Tel. Co.	St. Casimir	41,800 00		57,489 76	18,857 86	2,963 19	13,041 14		570	35	3,854 16
Pratte Tel. Co.	St. Celestin	10,000 00		10,000 00	1,221 20	498 65	926 00		48	7	736 00
Quebec-Orleans Tel. Co.	St. Famille			4,500 00	680 00		214 00		80	4	124 00
Rupert & North Wakefield Tel. Co.	North Wakefield	3,000 00		3,000 00	700 00	70 00	400 00		70	4	200 00

Savoie Tel. Line	Manseau			1,200 00					1		
Saguenay & Quebec Tel. Co.	Chicoutimi	50,000 00	150,000 00	171,470 13	20,477 08	1,746 77	13,047 64		956	33	8,224 76
Scobie Private Line	Norway Bay			200 00		50 00			1		
Seale Tel. Line	Morin Heights			700 00					1		
South Durham, Bethel & Davidson Hill Tel. Co	South Durham	700 00		700 00	60 00		60 00		8		
Soulanges Tel. Co	Pont Chateau	7,000 00	5,500 00	6,500 00	2,202 77	199 45	2,202 77		61	4	976 91
Stanfold Tel. Co	Princeville										
Stoke Tel. Asso	Stoke Centre	900 00		1,000 00	60 00		60 00		13		
St. Armand & Stanbridge Tel. Co	Bedford			600 00	60 00		60 00		25		
St. Camille & Wolfe Tel. Co.	St. Camille	3,500 00	4,000 00	4,000 00	457 07	29 40	480 32		122	3	42 65
St. Catherine & St. Joachim Tel. Co	St. Catherine			5,000 00	1,200 00		600 00		150	3	400 00
Ste. Cecile de Whitton Tel. Co	Ste. Cecile Station	2,400 00		2,400 00	125 00		90 00		60	3	60 00
St. Claude Mutual Tel. Co	St. Claude de Richmond	2,436 00	600 00	3,425 00	531 30		531 30		56	2	166 65
St. Gabriel Tel. Co	St. Gabriel de Brandon	2,000 00		2,600 00	600 00	150 00	250 00		40	1	150 00
St. George East Tel. Co	St. George East	1,840 00	7,000 00	10,000 00	324 00		324 00		87	2	256 00
St. George de Windsor Tel. Co	St. George de Windsor	10,000 00	800 00	6,800 00	350 00	125 00	250 00		200	6	250 00
St. Ephrem Tel. Co	St. Ephrem de Tring	1,835 00	4,400 00	9,044 14	2,417 15		2,738 18		93	4	400 27
Ste. Elizabeth de Warwick Tel. Co	Ste. Elizabeth de Warwick	2,805 33	2,600 00	3,205 33	2,819 27		644 56		65	3	588 56
St. Evariste Tel. Co	St. Evariste	2,059 25		5,207 68	380 58		380 58		125	2	232 50
St. Fortunat Tel. Co	St. Fortunat	3,920 00		3,920 00	375 00				112		
St. Fabien Tel. Co	Panet	1,500 00		1,500 00	300 00		70 00	9	3	2	40 00
St. Henri de Mascouche Tel. Co	St. Henri de Mascouche	500 00	500 00	750 00	265 00	96 00	196 00		18	1	72 00
St. Helene de Chester Tel. Co.	St. Helene de Chester	3,600 00	4,500 00	4,000 00	1,000 00		750 00		92	3	175 00
St. Julien de Wolfstown Tel. Co	Wolfstown	1,800 00		2,000 00	147 88		108 27		80	3	153 60
St. Luc Tel. Co	Champlain	11,362 26		11,362 26	1,680 00	400 00	775 00		90	2	400 00
Ste. Julie & St. Amable Tel. Co	St. Amable	1,150 00		625 23	160 00		160 00		17	2	75 00
St. Lucie Tel. Co	St. Lucie de Doncaster			450 00					6		
Ste. Marie de Blandford Tel. Co.	Ste. Marie de Blandford	200 00	400 00	600 00	70 00		70 00		11	1	35 00
St. Madeline Tel. Syndicate	St. Madeline			300 00					14		
St. Magloire Tel. Co	St. Magloire	600 00	300 00	900 00	20 00		20 00		11	1	20 00
St. Marc Tel. Co	St. Marc	1,157 00		1,140 00	10 39	19 70	10 39		39	1	9 34
St. Maurice & Champlain Tel. Co	Batiscan	48,916 80		52,597 12	2,346 57	3,471 11	4,139 24		206	17	3,150 87

TABLE 3.—Statement of Capital, Cost, Revenue, Operating Expenses, Number of Telephones, Employees, etc.—*Concluded.*

Name of Company.	Address.	Capital Stock.	Funded Debt.	Cost Property and Equipment.	Revenue.	Long Distance Receipts.	Operating Expenses.	Number of Telephones.		Employees and Remuneration.	
								Central.	Magneto	No.	Amount.
Quebec—Con.		$ cts.	$ cts.	$ cts.	$ cts	$ cts.	$ cts.				$ cts.
St. Norbert d'Arthabaska Tel. Co.	St. Norbert de Athabaska	1,950 00	1,075 00	3,300 00	725 00	8 70	250 00	.....	150	1	181 00
St. Ours Tel. Co., Ltd	St. Ours	1,500 00	.....	1,380 00	2,390 50	600 00	2,411 72	.....	144	7	1,000 00
St. Paul de Chester Tel. Co.	St. Paul de Chester	2,700 00	.....	8,000 00	1,960 00	690 00	1,600 00	.....	198	2	500 00
St. Perpetue Tel. Co.	St. Perpetue	800 00	.....	800 00	125 00	.....	125 00	.....	15	1	70 00
St. Philemon Tel. Co.	Berthier en bas	1,050 00	1,050 00	4,000 00	1,200 00	.....	600 00	.....	60	10	300 00
St. Romain Tel. Co.	St. Romain de Winslow	1,150 00	1,960 00	2,100 00	50 00	10 00	40 00	.....	49	2	40 00
St. Sebastien d'Iberville Tel. Co.	St. Sabastien	2,520 00	.....	5,700 00	1,520 00	78 00	428 00	.....	132	3	510 00
St. Sabine d'Iberville Tel. Co.	St. Sabine d'Iberville	12,750 00	5,200 00	17,650 00	1,950 00	130 00	1,308 00	.....	202	.....	.....
St. Samuel Tel. Co.	St. Samuel Gayhurst	760 00	1,560 00	2,500 00	136 00	.....	136 00	.....	39	2	130 00
St. Samuel & St. Clothilde de Horton Tel. Co.	St. Clothilde de Horton	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
St. Remi de Tingwick Tel. Co.	St. Remi de Tingwick	2,900 00	.....	2,900 00	75 00	.....	75 00	.....	1	1	75 00
St. Zepherin Tel. Co.	St. Zepherin	500 00	500 00	1,000 00	800 00	.....	800 00	.....	18	2	300 00
South Ham Tel. Co.	South Ham	721 41	.....	1,000 00	132 15	.....	120 19	.....	38	.....	.....
St. Victor de Tring Tel. Co.	St. Victor de Tring	3,460 00	3,000 00	3,460 00	100 00	.....	100 00	.....	52	1	12 00
Stratford Tel. Co.	Stratford Centre	665 68	2,820 00	3,485 68	.....	.....	.....	.....	72	.....	.....
Tipping Private Line	Clarenceville	8,000 00	.....	8,000 00	1,000 00	240 00	1,000 00	.....	110	4	200 00
Tourist & River du Loup Falls Tel. Asso	St. Paulin	10,500 00	.....	10,500 00	2,894 65	.....	1,584 80	.....	170	3	300 00
Upper Lachute Tel. Co.	Lachute	800 00	.....	800 00	60 00	.....	60 00	.....	12	.....	.....
Valcourt Tel. Co.	Valcourt	5,000 00	5,000 00	5,000 00	1,000 00	200 00	500 00	.....	65	2	500 00
Vale Perkins & Mansonville Line	Vale Perkins	.....	.....	300 00	50 00	7 00	35 00	.....	5	.....	.....
Villeneuve Private Line	Lavaltrie	300 00	.....	300 00	250 00	135 00	130 00	.....	10	2	104 00
Wakefield & Masham Tel. Co	Masham Mills	3,250 00	3,250 00	3,250 00	1,202 65	145 00	949 62	.....	86	4	365 00
Warwick Tel. Co.	Warwick	3,000 00	.....	9,000 00	615 00	.....	505 00	.....	192	3	325 00
Weedon Tel. Co.	Weedon Station	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Wheeler Private Line	St. Jovite Station	500 00	.....	500 00	10 00	.....	10 00	.....	6	.....	.....
Windsor Tel. Co.	Windsor	3,640 00	.....	3,000 00	330 00	.....	330 00	.....	70	2	255 00
Wotton Tel. Co.	Wotton Hill	5,000 00	.....	5,000 00	550 00	.....	550 00	.....	150	4	500 00
Wright & Pontiac Tel. Co.	Luskville	7,000 00	300 00	7,966 26	1,409 65	572 48	888 33	.....	116	3	611 00
Yamaska Tel. Co.	St. Guillaume	4,000 00	3,500 00	7,777 45	2,262 68	.....	1,644 31	.....	74	4	725 00
Totals		19,453,040 74	11,866,523 36	40,190,775 67	7,743,355 59	2,600,876 17	5,811,941 46	65,686	30,954	3,681	1,780,005 19

TABLE 4.—Statement of Wire Equipment—Urban and Rural.

Name of Company.	Address.	Urban.					Rural.				
		Galvanized	Copper Wire.				Galvanized.	Copper Wire.			
		Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.	Single Wire.	Over-Wire.	Overhead.	Underground.	Submarine.
Quebec.		Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.
Arundel Development Tel. Co.	Arundel						260·00				
Asbestos Tel. Co.	Asbestos	4·00					5·00				
Beauce Tel. Co.	Beauceville	161·00	37·00				140 00				
*Bell Tel. Co., Ltd.	Montreal			48,421·00	189,946·00	281·00	36,268·00				
Bellevue Tel. Syndicate	Sherbrooke						7·00				
Belvidere Tel. Syndicate	Sherbrooke						2·00				
Blanchard Tel. Co.	St. Marc						4·00				
Boisvert Private Line	Douville										
Bonaventure & Gaspe Tel. Co.	Paspebiac	351·00	21·00	175·00		1·50	390·00	390·00			
Brompton Paper & Pulp Co's Line	East Angus	5·00					45·00				
Brunette Private Line	St. Charles River						19·00				
Chapeau Tel. Co., Ltd.	Chapeau						26·75				2·50
Campbell's Bay Tel. Co., Ltd.	Campbell's Bay						90·00				
Canadian Tel. Co.	Sawyerville	275·00		75·00			1,050·00				
Centreville Tel. Co.	Lachute						4 50				
Charlevoix & Saguenay Tel. Co., Ltd	Murray Bay						838 00	270·00	100·00		5·00
Chenier Tel. Co.	Tingwick						111·00	1·00			
Chateau Richer Tel. Co.	Chateau Richer						2·50				
Clarenceville North Tel. Co.	Clarenceville						5·00				
Clarenceville & Wolf Ridge Tel. Co.	Clarenceville						10·00				
Citizens Tel. Co.	Dunham						430·00		50·00		
Clarenceville & Nuts Corners Tel. Co.	Clarenceville						26·00				
Clarenceville & St. Thomas Local Tel. Co.	Clarenceville						9·00				
Contrecoeur Tel. Co.	Contrecoeur						6·00				
Chatham Tel. Co.	Brownsburg						11·40				
Cherry River Tel. Co.	Magog						12·00				
Compton Mutual Tel. Co.	Compton						14·00				
Courcelles Tel. Co.	Courcelles						9·50				
Crystal Lake Tel. Co.	Magog						7·00				
Daigle Tel. Co.	Manseau						8 00				
Danis Private Line	Barrette	75·00					30·00				
Davcluyville Tel. Co.	Daveluyville	20·00					65·00				
D'Israeli Local Tel. Co.	D'Israeli						15·00				

* Province of Quebec only

TABLE 4.—Statement of Wire Equipment—Urban and Rural.—*Continued.*

Name of Company.	Address.	Urban					Rural.				
		Galvanized	Copper Wire.				Galvanized.	Copper Wire.			
		Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.	Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.
Quebec—Continued.		Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.
Dixville Tel. Co	Dixville						10·00				
Drummondville Tel. Co., Ltd	Drummondville	100·00		150·00			76·00				
Dupuis Private Line	St. Christine										
Dorset Tel. Co	St. Hilaire						7·00				
Eastern Townships Tel. Co	Sherbrooke	396·00		922·00	71·00		1,103 00	227·00			
East Wakefield Tel. Co	Wakefield						55·00				
Eustis Mining Co	Eustis										
Farmers Tel. Co	Howick Station			247·00			1,009·00	24·00			
Farrellton Tel. Co	Farrellton						177·00	4·00			
Fleming Tel. Line	Kirk's Ferry						2 50				
Fortierville Tel. Co	Fortierville						6·00				
Fourth Range Tel. Asso	Sherbrooke						3·50				
Foster & Bondville Private Line	Foster						10·00				
Fitch Bay Tel. Line	Fitch Bay						37·00				
Garon Private Line	St. Gregoire						41·00				
Garthby Local Tel. Co	Garthby Station						42·00				
Gilinas Tel. Co	Club Shawinigan						57·00				
Geneva Tel. Co	Geneva						42·00				
Gentilly Tel. Co	Deschailllons	12·00					10·00		10·00		
Girouard Private Line	St. Barnabe Sud						40·00				
Graham Private Line	Notre Dame de Grace						6·00				
Henryville Tel. Co	Henry ville						57·00				
Hill Head Tel. Co	Lachute						4·00				
Hill Private Line	St. Armand West	50·00					100·00				
Hollow Glen Tel. Asso	Breckenridge						5·00				
Hunting Tel. Asso	Lennoxville						4·00				
Howard & Co's Private Line	Sherbrooke						40·00				
Kamouraska Tel. Co	Fraserville	1,250·00	130·00				1,820·00		1·600·00		
Katevale Tel. Co	Katevale										
Kingsey Tel. Co	St. Felix de Kingsey						85·000				
Larocque Tel. Co	Douville						5·00				
Labaie Tel. Co	Labaie										
Lambton Tel. Co	Lambton						45·00		25·00		
Lachute Tel. Co	Lachute						8·00				
Lachute E. Mutual Tel. Asso	Lachute						2·50				

Lac L'Achigan Tel. Asso	Montreal							38·00						
L'Avenir Tel. Co.	L'Avenir							146·00						
La Conception Tel. Co.	La Conception							21·00						
Lake Valley Tel. Asso.	Asbestos							6·00						
Laurentide Tel. Co.	Pointe Gatineau							50·00						
La Tuque Falls Tel. Co.	La Tuque							200·00						
Lake St. Jean & Chicoutimi Tel. Co.	St. Joseph de Alma	400·00		4·00				500·00						
Lievre River Tel. Co.	Buckingham	67·00							92·00					
Little Nation Tel. Co.	Chénéville	40·00						5·00						
L'Epiphanie Tel. Co.	L'Epiphanie													
Lotbiniere & Nicolet Tel. Co.	Deschaillons	37·00						11·00		33·00				
Legault Private Line	Ile Perrot Nord							17·00						
Magog Asso.	Magog							10·00						
Maniwaki Tel. Co.	Maniwaki	5·00						23·00						
Maniwaki Electric Tel. Co.	Maniwaki							256·00	14·00					
Mayo & Blanche Tel. Co.	Buckingham							42·00						
Megantic Fish & Game Club Tel. Line	Woburn							6·00						
Megantic People's Tel. Co.	Inverness							750·00						
Melbourne Ridge Tel. Co., Ltd.	Kingsbury							46·00						
Milby Tel. Co.	Lennoxville							6·00						
Miltimore Tel. Co.	Sweetsburg	20·00						2·00						
Mountain View Tel. Asso.	Sherbrooke							18·50						
Mount Royal Tel. Co.	Ville St. Laurent	102·00		30·40				33·00						
National Tel. Co.	Levis			500·00	75·00			3,471·00	854·00					
Nedelac Tel. Co.	North Temiskaming							18·00						
Nicolet Tel. Co.	Nicolet	24·00		59·00				4·00						
New London Tel. Asso.	Richmond							10·00						
Notre Dame de Ham Tel. Co.	Notre Dame de Ham							20·00						
North Ham Tel. Co.	North Ham							227·00						
Olivers Corner Tel. Line	Magog							17·00						
Oxford Tel. Co.	Sherbrooke							4·00						
Parisville Tel. Co.	Parisville							7·00						
Passumpsic Tel. Co.	Passumpsic							9·90						
Piche Tel. Line	Brebeuf							7·00						
Pike River Farmers Tel. Co.	Staubridge Station							17·00						
Perinet Tel. System	Woburn							22·00						
Pinnacle Tel. Co.	Danville							49·00				1·00		
Pontiac Tel. Co., Ltd.	Shawville	23·00		1·00				373·00	3·00					
Portneuf Tel. Co.	St. Casimir							200·00						
Pratte Tel. Co.	St. Celestin							131·00	2·00	1·00				
Quebec-Orleans Tel. Co.	St. Famille							60·00						
Rupert & North Wakefield Tel. Co.	North Wakefield							30·00						
Savoie Tel. Line	Manseau							20·00						
Saguenay & Quebec Tel. Co.	Chicoutimi	403·00	184·00		128·00			489·00	180·00					
Scobie Private Line	Norway Bay							4·50						
Seale Tel. Line	Morin Heights							6·00						
South Durham, Bethel, and Davidson Hill Tel. Co.	South Durham							17·00						
Soulanges Tel. Co.	Pont Chateau							65·50	1·00					1·50
Stanfold Tel. Co.	Princeville													

TABLE 4.—Statement of Wire Equipment—Urban and Rural—*Concluded.*

Name of Company.	Address.	Urban.					Rural.				
		Galvanized	Copper Wire.				Galvanized.	Copper Wire.			
		Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.	Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.
Quebec—Continued.		Miles.	Miles.	Miles	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.
Stoke Tel. Asso	Stoke Centre						14·00				
St. Armand & Stanbridge Tel. Co	Bedford						18·00				
St. Camille & Wolfe Tel. Co	St. Camille						50·00				
St. Catherine & St. Joachim Tel. Co	St. Catherine						50·00				
Ste. Cecile de Whitton Tel. Co	St. Cecile Station						49·50				
St. Claude Mutual Tel. Co	St. Claude de Richm'd						53·00				
St. Gabriel Tel. Co	St. Gabriel de Brandon						30·00				
St. George East Tel. Co	St. George East						40·00				
St. George de Windsor Tel. Co	St. George de Windsor						39·00				
St. Ephrem Tel. Co	St. Ephrem de Tring						40·00				
Ste. Elizabeth de Warwick Tel. Co	Ste. Elizabeth de Warwick						12·50				
St. Evariste Tel. Co	Ste. Evariste										
St. Fortunat Tel. Co	St. Fortunat						85·00				
St. Fabien Tel. Co	Panet						18·00				
St. Henri de Mascouche Tel. Co	St. Henri de Mascouche	1·00					3·00				
St. Helen de Chester Tel. Co	St. Helen de Chester						24·00				
St. Julien de Wolfstown Tel. Co	Wolfstown						32·00				
St. Luc Tel. Co	Champlain						21·00				
Ste. Julie & St. Amable Tel. Co	St. Amable						8·50				
St. Lucie Tel. Co	St. Lucie de Doncaster						10·00				
Ste. Marie de Blandford Tel. Co	Ste. Marie de Blandford						7·00	1·00			
St. Madeline Tel. Syndicate	St. Madeline						9·00				
St. Magloire Tel. Co	St. Magloire						8·00				
St. Marc Tel Co	St. Marc						20·00				
St. Maurice & Champlain Tel. Co	Batiscan	200·00		47·00			191·00	15·00			
St. Norbert d'Athabaska Tel. Co	St. Norbert d'Athabaska						12·00				
St. Ours Tel. Co., Ltd	St. Ours						220·00	10·00	10·00		1·50
St. Paul de Chester Tel. Co	St. Paul de Chester						250·00				
St. Perpetue Tel. Co	St. Perpetue						12·00				
St. Philemon Tel. Co	Berthier en bas						54·00				
St. Romain Tel. Co	St. Romain de Winslow						14·00				
St. Sebatien d'Iberville Tel. Co	St. Sebastien						59·00				
St. Sabin d'Iberville Tel. Co	St. Sabin d'Iberville						231·00	10·00			

St. Samuel Tel. Co.	St. Samuel Gayhurst	20·00					22·00				
St. Samuel & St. Clothilde de Horton Tel. Co.	St. Clothilde de Horton										
St. Remi de Tingwick Tel. Co.	St. Remi de Tingwick						15·00				
St. Zepherin Tel. Co.	St. Zepherin	13·00					5·00				
South Ham Tel. Co.	South Ham						49·00				
St. Victor de Tring Tel. Co.	St. Victor de Tring						16·00		0·25		
Stratford Tel. Co.	Stratford Centre						20·00				
Tipping Private Line	Clarenceville						25·00				
Tourist and River du Loup Falls Tel. Asso	St. Paulin	255·00					368·00				
Upper Lachute Tel. Co.	Lachute						16·00				
Valcourt Tel. Co.	Valcourt	2·00					33·00				
Vale Perkins & Mansonville Line	Vale Perkins						8·00				
Villeneuve Private Line	Lavaltrie						6·00				
Wakefield & Masham Tel. Co.	Masham Mills						67·00				
Warwick Tel. Co.	Warwick						138·00		34·00		
Weedon Tel. Co.	Weedon Station										
Wheeler Private Line	St. Jovite Station	3·00					2·00				
Windsor Tel. Co.	Windsor						12·00				
Wotton Tel. Co.	Wotton Hill	40·00					70·00				
Wright & Pontiac Tel. Co.	Luskville						55·00				
Yamaska Tel. Co.	St. Guillaume	62·00					60·00				
Total		4,416·00	372·00	50,631·40	190,220·00	282·50	55,722·05	2,098·00	1,863·25	1·00	9·00

TABLE 5.—Statement of Capital, Cost, Revenue, Operating Expenses, Number of Telephones, Wire Equipment, etc.

Name of Company.	Address.	Capital Stock.	Funded Debt.	Cost Property and Equipment	Revenue	Operating Expenses.	Number of Telephones.	Employees and Remuneration.		Miles of Wire.
							Magneto.	No.	Amount.	
Saskatchewan.		$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.		$ cts.	Miles.
Alameda Tel. Co.	Alameda	7,975 00		6,900 00	3,171 00	2,665 00	80	1	400 00	458 00
Allan Tel. Co.	Allan	12,000 00		9,000 00	2,431 00	2,268 00	86	1	1,362 00	211 00
Allindale Tel. Co.	Sintaluta	2,011 00		1,821 00	196 00	36 00	18	1	16 00	56·00
Aberdeen Tel. Co	Aberdeen	1,475 00		1,600 00	225 00	284 00	11		25 00	38·00
Adelaide Tel. Co	Rouleau	2,300 00		2,312 00	288 00	289 00	24			61·00
Audrey Tel. Co.	Carievale	1,525 00		1,426 00	210 00	93 00	15		2 00	34·00
Arm River Tel. Co	Carvin	2,000 00		2,354 00	383 00	332 00	20	2	9 00	47·00
Abbotsford	Wolseley	5,850 00		5,073 00	466 00	443 00	37	1	90 00	142·00
Ambassador Tel. Co	Nokomis	1,700 00		1,730 00		65 00	17		25 00	34·00
Argyle Tel. Co.	Craik	2,700 00		3,523 00	2,339 00	20 13	26		21 00	71·00
Ardoth Tel. Co.	Ardoth	5,075 00		5,041 00	973 00	935 00	47	1	601 00	85·00
Aberdeen S.E. Tel. Co.	Aberdeen	1,500 00		1,256 00	3,100 00	3,100 00	8			24·00
Arm Tel. Co.	Craik	1,500 00		1,500 00	324 00	66 00	11		25 00	24·00
Asquith Tel. Co.	Asquith	2,300 00		2,038 00		5 00	22			46·00
Arat Tel. Co.	Regina	1,750 00		1,650 00		32 00	11		32 00	23·00
Arcadia Tel. Co	Indian Head	2,375 00		2,354 00	282 00	370 00	19	1	55 00	45·00
Avonhurst Tel. Co.	Qu'Appelle	4,725 00		5,250 00	414 00	398 00	29			160·00
Adanac Tel. Co.	Adanac		8,000 00	8,069 00	385 00	243 00	47	1	30 00	140·00
Ardine Tel. Co.	Wawota		2,200 00	2,059 00	144 00	45 00	11			25·00
Assiniboia Tel. Co.	Assiniboia		8,250 00	6,955 00	247 00	150 00	38	1	56 00	105·00
Avonlea Tel. Co.	Avonlea		4,000 00	3,642 00	363 00	115 00	31	1	116 00	56·00
Albatross Tel. Co.	Regina		2,500 00	2,204 00	90 00	30 00	9			26·00
Adams Tel. Co.	Grand Coulee		1,600 00	1,637 00	120 00	40 00	10			23·00
Albina Tel. Co.	Sintaluta			1,086 00	95 00	25 00	8			18·00
Aylesbury Ind. Tel. Co.	Aylesbury	1,000 00		508 00	198 00	58 00	11			2·00
Alameda Ind. Tel. Co.	Alameda	20,000 00		1,350 00	542 00	300 00	37	2	720 00	7·00
Abernethy Mun. Tel. Co.	Abernethy		3,000 00	3,500 00	1,064 00	1,133 00	52	2	600 00	3·00
Brownhill Tel. Co.	Crenfell	2,675 00		2,691 00	391 00	93 00	23			55·00
Beaver Creek Tel. Co.	Hanley	1,375 00		1,098 00	497 00	291 00	12		10 00	28·00
Buffalo Hill Tel. Co.	Southey	2,275 00		2,650 00	209 00	204 00	11	1	30 00	51·00
Boggy Creek Tel. Co.	Lumsden	2,775 00		3,880 00	856 00	805 00	25	1	76 00	60·00
Bee Line Tel. Co.	Abernethy	1,325 00		1,118 00	90 00	92 00	7			18·00
Broadway Tel. Co.	Belle Plaine	1,100 00		1,078 00	15 00	32 00	12			22·00
Belbeck Tel. Co.	Moosejaw	4,000 00		3,760 00	349 00	189 00	28	1	41 00	112·00
Balcarres S. Tel. Co.	Balcarres	3,500 00		3,500 00	101 00	42 00	35		115 00	84·00
" N. "	"	875 00		875 00	35 00	28 00	7		27 00	14·00

" W. "	"	1,250 00		1,006 00	24 00	25 00	9		15 00	19·00
Buffalo Lake Tel. Co.	Tuxford	3,475 00		3,381 00	616 00	716 00	59	1	13 00	80·00
Broderick Tel. Co.	Broderick	7,100 00		7,009 00	2,029 00	1,919 00	60		600 00	227·00
Bellevue Tel. Co.	Rouleau	1,775 00		1,315 00	132 00	97 00	13		24 00	31·00
Buffalo Head Tel. Co.	Arcola	3,825 00		4,000 00	630 00	409 00	28		103 00	68·00
Bonnie Blink Tel. Co	Pense	1,199 00		1,057 00	165 00	158 00	11	1	13 00	24·00
Brownlee, Lake Valley and Esbank Tel. Co.	Esbank	2,500 00		2,766 00	414 00	80 00	23		44 00	59·00
Browning Tel. Co.	Kisbey	4,350 00		4,800 00	246 00	215 00	23		69 00	97·00
Brownlee-Avonmore	Brownlee	1,950 00		1,957 00	126 00	92 00	19		45 00	43·00
Buffalo Plains Co Tel.	Windthorst	3,375 00		3,400 00	500 00	110 00	24	1	30 00	84·00
Benson Tel. Co.	Estevan	7,225 00		6,194 00	1,391 00	1,189 00	4		116 00	160·00
Bredenburg Tel. Co.	Bredenbury	450 00		480 00	18 00	5 00	4			10·00
Boharm W. Tel. Co.	Moosejaw	2,600 00		2,400 00	420 00	55 00	21		75 00	76·00
Bloomenfeldt Tel. Co.	Sedley	4,250 00		4,300 00	690 00	261 00	31		9 00	80·00
Bode Tel. Co.	Swift Current	2,160 00		2,160 00	140 00	110 00	14		18 00	42·00
Breadalbane Tel. Co.	Caron	4,250 00		3,663 00	155 00	203 00	35	1	92 00	67·00
Brooklyn Tel. Co.	Tate	2,975 00		2,962 00	1,362 00	1,315 00	17			49·00
Baring Tel. Co.	Baring	1,875 00		1,894 00	147 00	91 00	14			37·00
Brookdale Tel. Co.	Moosejaw	1,125 00		1,077 00	48 00	5 00	9			17·00
Beverley Tel. Co.	Beverley	1,050 00		1,050 00	30 00	39 00	12			19·00
Balcarres-Hillhead Tel. Co.	Balcarres		3,200 00	3,180 00	275 00	168 00	22			46·00
Banbury Tel. Co.	Aylesbury		3,600 00	3,463 00	198 00	157 00	17	1	59 00	46·00
Baring Tel. Co.	Baring		3,500 00	3,400 00	291 00	98 00	23	1	3 00	58·00
Beatty Tel. Co.	Melford		9,500 00	9,112 00	620 00	450 00	53	1	124 00	155·00
Beaver Tel. Co.	Yorkton		21,500 00	20,428 00	1,190 00	740 00	90	1	222 00	198·00
Bell Tel. Co.	Regina		4,200 00	3,800 00	365 00	253 00	21	1	45 00	60·00
Belvidere Tel. Co.	Cantaur		10,000 00	9,844 00	400 00	370 00	50			142·00
Bennett Tel. Co.	Craik		4,500 00	4,309 00	434 00	167 00	22	1	25 00	72·00
Bethune S.W. Tel. Co.	Bethune		6,000 00	5,826 00	325 00	185 00	31			87·00
Beverley S. Tel. Co.	Beverley		2,200 00	2,290 00	135 00	85 00	13			25·00
Bienfait Tel. Co.	Bienfait		5,000 00	4,865 00	322 00	160 00	20	1	100 00	49·00
Big Butte Tel. Co.	Estevan		1,500 00	1,490 00	90 00	60 00	9			14·00
Big Gully Tel. Co.	Lloydminster		5,800 00	5,555 00	280 00	155 00	24			98·00
Bigford Tel. Co.	Swift Current		7,500 00	7,343 00	420 00	235 00	33	2	75 00	114·00
Black Lake Tel. Co.	Bladworth		3,600 00	3,592 00	462 00	260 00	16			49·00
Blackley Tel. Co	Sutherland		6,000 00	6,052 00	300 00	245 00	29			99·00
Blucher Tel. Co.	Blucher		9,500 00	8,510 00	365 00	230 00	38	2	41 00	133·00
Bonnie View Tel. Co.	Lornburn		10,400 00	9,388 00	575 00	325 00	55	1	15 00	167·00
Bredenbury Northern Tel. Co.	Bredenbury		2,000 00	1,850 00	108 00	70 00	9			21·00
Bright Tel. Co.	Loreburn		4,200 00	4,535 00	415 00	280 00	34			70·00
Brookside Tel. Co.	Newlands		8,500 00	8,419 00	500 00	375 00	42	1	23 00	187·00
Bulyea Tel. Co.	Bulyea		7,500 00	7,206 00	420 00	53 00	38			95·00
Bounty Tel. Co.	Bounty		11,000 00	10,890 00	633 00	390 00	53			152·00
Butterton Tel. Co.	Butterton		6,500 00	6,594 00	375 00	230 00	36			131·00
Bladworth Tel. Co.	Bladworth		2,200 00	2,056 00	165 00	90 00	14	1	4 00	25·00
Bellegarde Tel. Co.	Antler		10,500 00	10,816 00	315 00	131 00	61			174 00
Bridgeford Tel. Co.	Bridgeford		6,000 00	6,052 00	310 00	171 00	31	1	25 00	76·00
Balgonie Tel. Co.	Balgonie		9,500 00	8,950 00	410 00	69 00	41			160·00
Beaver Rapids Tel. Co	Welwyn	1,000 00		1,087 00	360 00	248 00	8	1	38 00	24·00

TABLE 5. Statement of Capital, Cost, Revenue, Operating Expenses, Number of Telephones, Wire Equipment, etc.—*Con.*

Name of Company.	Address.	Capital Stock.	Funded Debt.	Cost Property and Equipment	Revenue.	Operating Expenses.	Number of Telephones.	Employees and Remuneration.		Miles of Wire.
							Magneto.	No.	Amount.	
Saskatchewan—Con.		$ cts.	$ cts.	$ cts.	$ cts.	$ cts.			$ cts.	Miles.
Buck Lake Farmers' Tel. Co.	Milestone	1,300 00		1,560 00	390 00	390 00	24			40·00
Bulyea Village Tel. Co.	Bulyea	461 00		461 00	118 00	100 00	11			
Balcarres Mun. Tel. Co	Balcarres		3,500 00	3,500 00	1,105 00	1,040 00	54	2	445 00	6·00
Coulee Tel. Co.	Pense	1,300 00		1,336 00	234 00	256 00	13			14·00
Cobourg Tel. Co.	Moosejaw	750 00		750 00	50 00	50 00	5			16·00
Corinne Tel. Co.	Milestone	3,225 00		3,300 00			40			102·00
Creelman Tel. Co.	Creelman	5,850 00		6,200 00	1,975 00	1,875 00	73	1	751 00	187·00
Central Tel. Co.	Tregarva	1,200 00		1,333 00	154 00	101 00	9			32·00
Condie Tel. Co.	Condie	1,425 00		1,425 00	375 00	286 00	19			32·00
Capital Tel. Co.	Regina	950 00		978 00	192 00	192 00	8			16·00
Cory Tel. Co.	Saskatoon	3,000 00		3,359 00	517 00	482 00	25	1	118 00	54·00
Chickney Tel. Co.	Abernethy	975 00		883 00	156 00	135 00	7		60 00	15·00
Carmel Tel. Co.	Moosejaw	1,750 00		1,481 00	232 00	80 00	14			40 00
Coulee View Tel. Co.	Grand Coulee	1,344 00		1,500 00	144 00	142 00	12	1	96 00	20·00
Chester Tel. Co.	Moosejaw	3,350 00		4,217 00	32 00	276 00	31			104·00
Cupar Tel Co.	Cupar	925 00		724 00	54 00	60 00	9			14·00
Cheviot Tel. Co.	Cheviot	1,100 00		1,200 00	48 00	26 00	10		3 00	25·00
Coldstream Tel. Co.	Grand Coulee	2,875 00		3,780 00	188 00	152 00	23			70·00
Caron Tel. Co.	Caron	5,625 00		4,987 00	225 00	302 00	45	1	200 00	110·00
Conquest Tel. Co.	Conquest	5,750 00		6,342 00	1,644 00	889 00	67	1	600 00	110·00
Clear Spring Tel. Co.	Lobethal	625 00		400 00		31 00	4	1	25 00	11·00
Candiac Tel. Co.	Candiac	4,250 00		4,670 00	110 00	20 00	28	2	240 00	93·00
Colfax Tel. Co.	Colfax	1,064 00		1,064 00	12 00		7			15·00
Cando Tel. Co.	Hitchcock		4,500 00	4,532 00	235 00	110 00	20	1	180 00	68·00
Carnoustis Tel. Co.	Rocanville		7,000 00	6,793 00	544 00	365 00	41	1	100 00	158·00
Caselton-Pennock Tel. Co.	Saltcoats		4,500 00	4,577 00	264 00	120 00	22	1	22 00	71·00
Cedoux Tel. Co.	Cedoux		5,000 00	5,274 00	396 00	230 00	23	1	142 00	69·00
Chamberlain Tel. Co.	Chamberlain		11,000 00	11,289 00	800 00	680 00	65	2	122 00	185·00
Chandler Tel. Co.	Midale		4,000 00	3,532 00	330 00	119 00	22			49·00
Clear Lake Tel. Co.	Lemans		6,200 00	5,813 00	424 00	313 00	37	3	107 00	103·00
Colleston Tel. Co.	Prince Albert		6,200 00	6,270 00	480 00	245 00	40	1	80·00	123·00
Colonsay Tel. Co.	Colonsay		16,000 00	16,257 00	833 00	475 00	67	2	256 10	249·00
Cotham Tel. Co.	Cotham		5,500 00	5,222 00	200 00	196 00	25	1	25 00	90·00
Crescent Tel. Co.	Rouleau		4,000 00	3,576 00	244 00	110 00	20	1	45 00	57·00
Crescent View Tel. Co.	Hanley		2,100 00	1,800 00	120 00	55 00	10	1	12 00	21·00
Crocue Belle Tel. Co.	Kinley		15,000 00	14,728 00	1,236 00	560 00	92	1	652 00	251·00

Cullen Tel. Co.	Cullen		6,700 00	5,850 00	465 00	256 00	40	4	71 00	85·00
Cut Knife Tel. Co.	Cut Knife		12,000 00	11,769 00	612 00	220 00	50	1	25 00	146·00
Clavet Tel. Co.	Clavet		2,000 00	1,887 00	143 00	100 00	9	1	47 00	20·00
Coronation Tel. Co.	Windthorst		3,700 00	3,325 00	322 00	230 00	21			52·00
Cambridge Tel. Co.	Rocanville		3,800 00	3,771 00	253 00	201 00	25	1	25 00	65·00
Colfax Tel. Co.	Colfax		8,000 00	7,676 00	456 00	228 00	38	1	100 00	100·00
Creekside Tel. Co.	Beaverdale		6,000 00	5,293 00	360 00	61 00	28	1	25 00	81·00
Clair Tel. Co.	Clair		5,500 00	5,138 00	325 00	159 00	26			68·00
Carievale Independent Tel. Co.	Carievale	2,350 00		2,770 00	2,432 00	2,044 00	48	2	640 00	17·00
Carnduff Mun. Tel. Co.	Carnduff		4,000 00	4,395 00	3,868 00	1,772 00	77	3	1,258 00	30·00
Dalesboro Tel. Co.	Dalesboro	1,350 00		1,350 00	288 00	188 00	12	1	14 00	28·00
Drinkwater-Briercrest Tel. Co.	Drinkwater	1,275 00		1,654 00	584 00	481 00	27	1	387 00	28·00
Dalmeny Tel. Co.	Dalmeny	5,425 00		7,550 00	1,268 00	1,253 00	72	1	505 00	96·00
Dundurn Tel. Co.	Dundurn	4,650 00		5,335 00	1,474 00	1,286 00	45	1	122 00	110·08
Dairy Line Tel. Co.	Battleford	500 00		500 00			3			10·00
Dee Tel. Co.	Abernethy	375 00		360 00	36 00	92 00	5	1	640 00	10·00
Duff Tel. Co.	Lemberg	2,050 00		1,800 00	140 00	140 00	14	1	90 00	53·00
Deveron Tel. Co.	Deveron	3,500 00		3,500 00	2,585 00	2,466 00	23			85·00
Davidson Western Tel. Co.	Davidson	1,200 00		1,200 00	80·00	63 00	10			24·00
Dewdney Tel. Co.	Grand Coulee	825 00		967 00	165 00	140 00	11			18·00
Dubuc Tel. Co.	Dubuc	2,675 00		2,930 00	456 00	362 00	24			65·00
Dewey Tel. Co.	Macoun	2,000 00		1,711 00	154 00	257 00	18			41·00
Davis Tel. Co.	Davis	1,350 00		1,808 00	180 00	84 00	14			26·00
Dafoe Copeland Tel. Co.	Dafoe		6,500 00	6,298 00	389 00	180 00	36	2	268 00	104·00
Dalrymple Tel. Co.	Cupar		5,500 00	5,424 00	354 60	145 00	26			77·00
Darwin Tel. Co.	Redvers		9,800 00	9,501 00	490 00	245 00	49	1	183 00	154·00
Deep Lake Tel. Co.	Indian Head		12,300 00	12,218 00	888 00	312 00	52			207·00
Delisle Tel. Co.	Delisle		7,500 00	7,500 00	514 00	220 00	42			104·00
Dewey Tel. Co.	Macoun		3,100 00	2,767 00	329 00	283 00	26			60·00
Downing Tel. Co.	Laford		1,800 00	1,738 00	132 00	35 00	7	4	30 00	20·00
Drinkwater N.E. Tel. Co.	Drinkwater		1,800 00	1,800 00	156 00	60 00	13			28·00
Dubuc N. Tel. Co.	Dubuc		4,600 00	4,425 00	312 00	130 00	26	1	50 00	70·00
Dumas-Kennedy Tel. Co.	Dumas		2,000 00	1,900 00	108 00	45 00	9			24·00
Dummer Tel. Co.	Dummer		12,000 00	11,683 00	408 00	335 00	67	2	681 00	109·00
Durham Tel. Co.	Wolesley		4,500 00	4,630 00	288 00	120 00	44	1	44 00	62·00
Duval & Dunkeld Tel. Co.	Clapton		7,800 00	7,341 00	480 00	215 00	40	1	357 00	146·00
Duval & Long Lake Tel. Co.	Duval		9,500 00	9,623 00	725 00	335 00	61	1	60 00	178·00
Durban Tel. Co.	Swift Current		5,500 00	5,210 00	236 00	114 00	19			70·00
Dandy Rose Tel. Co.	Kendal		11,000 00	10,500 00	648 00	270 00	53	1	45 00	166·00
Doukabour Ind. Tel. Co.	Veregin	5,000 00		2,000 00		150 00	2			0·50
Dundurn Ind. Tel. Co.	Dundurn	2,500 00		3,500 00	1,510 00	1,110 00	47	1	680 00	15·00
Dufferin Ind. Tel. Co.	Bethune	1,800 00		2,192 00	681 00	101 00	32	1	60 00	3·00
Edzell Tel. Co.	Saskatoon	4,800 00		4,875 00	524 00	428 00	31	1	63·00	100 00
Eastview Tel. Co.	Pasqua	2,400 00		2,494 00	1,000 00	871 00	12			26·00
Elmore Tel. Co.	Elmore	6,800 00		6,400 00	950 00	823 00	75	1	496 00	160·00
Ellisboro Tel. Co.	Ellisboro	3,750 00		3,665 00	276 00	220 00	32		50 00	100·00
Elgin Tel. Co.	Moosomin	700 00		700 00	210 00	121 00	9			10·00
Empire Tel. Co.	Carievale	1,120 00		1,064 00	161 00	113 00	14		10 00	29·00
Edgeley Tel. Co.	Qu'Appelle	4,500 00		4,236 00	1,756 00	1,720 00	33			207·00
East Line Tel. Co.	Abernethy	1,350 00		1,150 00	72 00	82 00	9			17·00

TABLE 5.—Statement of Capital, Cost, Revenue, Operating Expenses, Number of Telephones, Wire Equipment, etc.—*Con.*

Name of Company.	Address.	Capital Stock.	Funded Debt.	Cost Property and Equipment.	Revenue	Operating Expenses.	Number of Telephones.	Employees and Remuneration.		Miles of Wire.
							Magneto.	No.	Amount.	
Saskatchewan—Con.		$ cts.	$ cts.	$ cts.	$ cts.	$ cts.			$ cts.	
East Halbrite Tel. Co	Halbrite	3,200 00		3,215 00	195 00	201 00	17	1	29 00	50·00
East Fillmore Tel. Co	Fillmore	1,775 00		1,796 00	128 00	87 00	13	.....	.....	35·00
East Weyburn Tel. Co	Weyburn	522 00		522 00	10 00	20 00	5	.....	.....	10·00
East Carlyle Tel. Co.	Carlyle	1,250 00	.....	1,200 00	506 00	482 00	10	1	11 00	27·00
Elm Tel. Co.	Rocanville	1,600 00	.....	1,737 00	174 00	159 00	15	.....	.....	40 00
Eagle Creek Tel. Co.	Asquith	.....	9,000 00	8,915 00	540 00	225 00	45	1	16 00	171·00
Earl Grey Sylvan Tel. Co.	Earl Grey	.....	4,200 00	4,187 00	756 00	315 00	23	.....	.....	71·00
East Borden Tel. Co.	Halcyonia	.....	7,500 00	7,346 00	738 00	438 00	37	1	240 00	145·00
East Milden Tel. Co.	Milden	.....	3,000 00	2,928 00	156 00	85 00	13	1	27 00	32·00
East Mount Tel. Co.	Strassburg	.....	8,000 00	6,575 00	623 00	315 00	50	1	141 00	129·00
Edelane Tel. Co	Strassburg	.....	5,700 00	4,825 00	544 00	210 00	32	1	75 00	81·00
Elbow	Elbow	.....	11,000 00	10,385 00	557 00	509 00	58	.....	.....	154·00
Ellsworth Tel. Co.	Macoun	.....	5,000 00	4,179 00	373 00	161 00	31	.....	.....	84·00
Elstow Tel. Co	Elstow	.....	11,000 00	10,950 00	960 00	325 00	51	.....	.....	222·00
Erie Tel. Co.	Craik	.....	1,800 00	1,740 00	225 00	60 00	11	.....	.....	34·00
Ernscliffe Tel. Co.	Wolseley	.....	6,000 00	5,909 00	296 00	115 00	23	.....	.....	72·00
Ethelton Tel. Co.	Kinistino	.....	5,500 00	5,373 00	312 00	130 00	26	1	70 00	45·00
Eyebrow S.W. Tel. Co.	Eyebrow	.....	2,300 00	1,844 00	120 00	60 00	10	.....	.....	26·00
Eddy Tel. Co.	Bulyea	.....	4,000 00	3,797 00	312 00	130 00	26	.....	.....	52·00
Echo Tel. Co.	Langenburg	.....	3,100 00	3,046 00	216 00	90 00	18	.....	.....	37·00
Elstow Indep. Tel. Co	Elstow	750 00	.....	750 00	180 00	180 00	13	.....	.....	2·00
Fairlight Tel. Co	Fairlight	4,000 00		4,034 00	385 00	296 00	29	.....	20 00	82·00
Fleming N. Tel. Co.	Fleming	2,675 00		2,878 00	861 00	735 00	32	.....	98 00	77·00
Fleming S. Tel. Co.	Fleming	3,550 00		4,175 00	1,229 00	978 00	46	.....	50 00	93·00
Fairmede Tel. Co.	Earlswood	3,475 00		3,551 00	621 00	415 00	24	1	35 00	92·00
Forest Tel. Co.	Lumdsen	3,125 00		3,300 00	871 00	570 00	32	1	170 00	95·00
Florence Tel. Co.	Carnduff	3,300 00		2,984 00	646 00	670 00	32	1	125 00	83·00
Fertile Valley Tel. Co	Conquest	3,525 00	.....	2,764 00	906 00	529 00	31	1	468 00	66·00
Farewell Tel. Co.	Tuxford	1,125 00		1,300 00	135 00	84 00	10	.....	.....	18·00
Foam Lake Tel. Co.	Foam Lake	550 00	.....	750 00	.....	.....	15	.....	.....	30 00
Foster Tel. Co.	Abernethy	2,500 00		2,500 00	210 00	209 00	21	.....	68 00	46·00
Francis Tel. Co.	Francis	3,600 00		4,023 00	1,892 00	1,819 00	28	.....	25 00	70·00
Fairview Tel. Co.	Regina	1,025 00		1,093 00	64 00	35 00	6	.....	.....	26·00
Fairplay Tel. Co.	Indian Head	1,625 00		1,611 00	401 00	392 00	15	.....	25 00	40 00
Farmers Tel. Co.	Herbert	5,450 00	.....	6,150 00	947 00	886 00	57	2	340 00	125·00
Foxleigh Tel. Co.	Regina	2,600 00	.....	2,553 00	154 00	87 00	13	1	22 00	58 00

Farmington Tel. Co.	Hanley	1,200 00		1,200 00	55 00	58 00	11		6 00	28 00
Francis North Line Tel. Co.	Francis	3,500 00		3,390 00	493 00	388 00	26	1		66·00
Fendale Tel. Co.	Welwyn	1,925 00		2,400 00	622 00	504 00	21	1	32 00	44·00
Fisk Creek Tel. Co.	Aberdeen	1,125 00		1,032 00	38 00	112 00	8			24·00
Fletewode Tel. Co.	Kennedy	3,200 00		3,258 00	433 00	327 00	18	1	62 00	67·00
Fairy Hill Tel. Co.	Fairy Hill		5,200 00	5,160 00	336 00	143 00	28			104·00
Fargo Tel. Co.	Craik		5,400 00	4,436 00	270 00	123 00	20			69·00
Fields Tel. Co.	Heward		2,800 00	2,802 00	180 00	60 00	15	1	40 00	36·00
Findlater Tel. Co.	Findlater		6,000 00	6,133 00	478 00	178 00	39	1	68 00	70·00
Finnie Tel. Co.	Lorlie		5,500 00	4,948 00	293 00	147 00	23	1	28 00	94·00
Fishing Lake Tel. Co.	Wadena		2,700 00	2,099 00	135 00	49 00	10	2	17 00	32·00
Fletts Springs Tel. Co.	Pathlow		28,000 00	25,245 00	1,316 00	590 00	118	1	250 00	438 00
Floding Tel. Co.	Midale		5,300 00	5,071 00	226 00	90 00	18	1	125 00	85·00
Forward Tel. Co.	Forward		7,500 00	6,860 00	428 00	194 00	34	1	125 00	98·00
Foxbury Tel. Co.	Craik		8,000 00	8,000 00	732 00	410 00	33			140·00
Froude Tel. Co.	Froude		7,700 00	7,000 00	1,240 00	797 00	44	2	320 00	126·00
Flaxcombe N. Tel. Co.	Dewar Lake		2,800 00	2,787 00	135 00	49 00	10			26·00
Floral Tel. Co	Floral		11,000 00	10,249 00	1,222 00	699 00	60	1	25 00	184·00
Fillmore Tel. Co.	Fillmore		10,500 00	10,16 00	633 00	235 00	50			150·00
Frobisher Tel. Co.	Frobisher		4,000 00	3,825 00	190 00	85 00	15			42·00
Francis E. Tel. Co.	Francis		9,000 00	8,146 00	514 00	220 00	42			136 00
Fort Pelly Indep. Tel. Co.	Pelly	695 00					9			15·00
Fleming Tel. Co.	Fleming	2,000 00		1,864 00	729 00	100 00	30	1	600 00	30·00
Farmers N.E. Tel. Co.	Milestone	950 00		965 00	117 00	177 00	13			26·00
Fairlight Indep. Tel. Co	Fairlight	725 00		1,100 00	375 00	296 00	18	2	380 00	10·00
Grey-Milestone Tel. Co.	Milestone	2,100 00		2,503 00	286 00	302 00	30		50 00	110 00
Golden Flat Tel. Co.	Pitman	3,325 00		3,474 00	159 00	162 00	17			64·00
Glen Ewan TTel. Co.	Glen Ewan	9,500 00		10,500 00	2,306 00	1,815 00	86	1	1,350 00	285·00
Greendale Tel. Co.	Boharm	1,350 00		1,067 00	90 00	131 00	9	1	38 00	24·00
Grenfell Tel. Co	Grenfell	2,290 00		2,236 00	383 00	370 00	18			39·00
Grassmere Tel. Co.	Qu'Appelle	1,500 00		1,500 00	85 00	85 00	13			28·00
Graytown Tel. Co.	Windthorst	2,625 00		3,066 00	798 00	676 00	22		42·00	59·00
Glenside Tel. Co.	Glenside	2,675 00		2,816 00	683 00	538 00	15		288 00	48·00
Grand View Tel. Co.	Moosejaw	966 00		910 00	72 00	96 00	6			28·00
Grangers Tel. Co.	Delisle	1,700 00		1,426 00	240 00	205 00	13	1	78 00	32·00
Grand Prairie Tel. Co.	Eyebrow	1,800 00		1,800 00	242 00	193 00	18		50 00	36·00
Garden Valley Tel. Co.	Outlook		4,000 00	3,842 00	275 00	130 00	24			45·00
Gartmore Zorra Tel. Co.	Shillingthorpe		6,000 00	5,693 00	216 00	135 00	23			54·00
Gerald Tel. Co.	Gerald		6,000 00	5,989 00	660 00	168 00	28	1	43 00	71·00
Gilead Tel. Co.	Hanley		1,700 00	1,766 00	186 00	97 00	10			22·00
Girvin Tel. Co.	Girvin		1,700 00	1,726 00	113 00	60 00	8			23·00
Gledhow Tel. Co.	O'Malley		10,200 00	9,832 00	733 00	503 00	41	2	480 00	148·00
Glen Adelaide Tel. Co.	Wawota		7,700 00	7,751 00	456 00	212 00	38	2	92 00	135·00
Glenavon N. Tel. Co.	Glenavon		1,500 00	1,523 00	168 00	61 00	14			37·00
Glenford Tel. Co.	Glenside		7,000 00	6,800 00	453 00	210 00	35			110·00
Good Hope Tel. Co.	Waldron		12,700 00	12,336 00	634 00	273 00	52	1	32 00	163·00
Goodwater Tel. Co.	Goodwater		8,700 00	7,209 00	492 00	205 00	41	1	7 00	118·00
Glenavon S. Tel. Co.	Glenavon		16,000 00	15,390 00	786 00	325 00	63	1	120 00	185·00
Gores Tel. Co	Ogema		2,000 00	1,750 00	108 00	54 00	8			36 00
Govan Tel. Co.	Govan		16,500 00	16,824 00	1,146 00	475 00	93	1	600 00	283·00

TABLE 5.—Statement of Capital, Cost, Revenue, Operating Expenses, Number of Telephones, Wire Equipment, etc.—*Con.*

Name of Company.	Address.	Capital Stock.	Funded Debt.	Cost Property and Equipment	Revenue	Operating Expenses.	Number of Telephones.	Employees and Remuneration.		Miles of Wire.
							Magneto.	No.	Amount.	
Saskatchewan Con.		$ cts.	$ cts.	$ cts.	$ cts.	$ cts.			$ cts.	
Graham-Chatsworth Tel. Co	Picnic		6,500 00	6,618 00	394 00	170 00	32	1	22 00	111·00
Grand Bend Tel. Co.	Weyburn	....	7,000 00	7,492 00	478 00	195 00	39	1	166 00	114·00
Great Deer Tel. Co.	Borden		11,000 00	10,235 00	1,210 00	425 00	65	2	264 00	158·00
Great West Tel. Co.	Wapella		4,000 00	4,001 00	320 00	115 00	20			47·00
Green Farm Tel. Co.	Herbert		7,500 00	7,974 00	516 00	235 00	43	1	125 00	155·00
Grimes Tel. Co.	Lampman		2,300 00	2,058 00	132 00	49 00	10	2	120 00	20·00
Guernesy Tel. Co.	Guernsey		17,000 00	16,420 00	1,300 00	490 00	82	1	223 00	270·00
Glenada Tel. Co.	Glenada		13,000 00	12,894 00	928 00	396 00	58			205·0
Great Bend Tel. Co.	Radisson		7,000 00	7,110 00	382 00	178 00	31			102·00
Grovenland Tel. Co.	Lanigan		2,500 00	2,314 00	132 00	55 00	11			31·00
Gladstone Tel. Co.	Bethune		5,000 00	4,887 00	329 00	169 00	28	3	46 00	68·00
Glen Ewan Indep. Tel. Co.	Glen Ewan	850 00		1,200 00	538 00	436 00	27	2	278 00	9·25
Govan Indep. Tel. Co.	Govan	1,425 00		4,965 00	1,508 00	1,263 00	67	1	150 00	312·00
Gainsboro Mun. Tel. Co.	Gainsboro		3,000 00	3,300 00	832 00	876 00	34		660 00	40·00
Hayereek Tel. Co.	Maple Creek	950 00		950 00			8			33·00
Hanley Tel. Co.	Hanley	2,930 00		2,930 00	403 00	231 00	17			67·00
Huron & Clinton Tel. Co.	Tuxford	3,375 00		3,724 00	617 00	276 00	28	2	265 00	85·00
Hill Farm Tel. Co	Lemberg	4,125 00		4,433 00	279 00	259 00	33	2	78 00	96·00
Hepburn Tel. Co.	Hepburn	7,000 00		6,476 00	567 00	534 00	72	2	375 00	156·00
Huronville Farmers Tel. Co.	Huronville	3,875 00		3,808 00	322 00	250 00	34	1	200 00	91·00
Hope Tel. Co	Abernethy	875 00		860 00	15 00	25 00	5			10·00
Heward Tel. Co.	Heward	4,800 00		4,800 00	1,763 00	1,551 00	37			80·00
Highview Tel. Co.	Dumas	2,850 00		3,760 00	562 00	376 00	25	1	37 00	80·00
Holdonian Tel. Co	Francis	1,175 00		858 00	154 00	106 00	10			18·00
Heil's Lake Tel. Co.	Lemberg	2,625 00		2,100 00	300 00	255 00	20	1	180 00	54·00
Hursh Tel. Co	Macoun	800 00		823 00	103 00	114 00	9			20·00
Hazelcliffe Tel. Co.	Hazelcliffe	1,450 00		856 00	589 00	390 00	10			26·00
Hayes Tel. Co.	Nokomis	800 00		847 00	129 00	73 00	8			15·00
Hallville Tel. Co.	Aylesbury		10,000 00	9,920 00	625 00	275 00	50			95·00
Hancon Tel. Co.	Lajorde		4,800 00	3,981 00	238 00	105 00	19			46·00
Heron Tel. Co.	Heron		5,200 00	5,258 00	324 00	125 00	25	2	38 00	90·00
High Ridge Tel. Co.	Kennedy		2,800 00	2,509 00	208 00	75 00	13	1	6 00	37·00
Hildahl Tel. Co.	Estevan		6,100 00	5,756 00	320 00	110 00	21			96·00
Hillcrest Tel. Co.	Bladworth		2,600 00	3,025 00	170 00	75 00	15	1	10 00	34·00
Hillsdale Tel. Co.	Simpson		4,500 00	4,278 00	282 00	125 00	21			85·00
Hume Tel. Co.	Hume		4,000 00	4,529 00	265 00	108 00	20			44·00

Huron Tel. Co.	Tugaske		7,500 00	7,379 00	568 00	260 00	44	1	68 00	75·00
Hillier Tel. Co.	Stoughton		10,500 00	10,302 00	574 00	265 00	47	1	46 00	173·00
Hyde Tel. Co.	Hyde		1,800 00	1,700 00	86 00	49 00	7			27·00
Harwarden Tel. Co.	Harwarden		10,000 00	10,690 00	694 00	315 00	57	1	75 00	142·00
Hub Tel. Co.	Kennedy		2,000 00	1,951 00	130 00	55 00	10			20·00
International Tel. Co.	North Portal	700 00		688 00	157 80	172 00	10		13 00	22·00
Inglewood Tel. Co.	Qu'Appelle	5,000 00		5,061 00	736 00	521 00	41			108·00
Ideal Tel. Co.	Griffin		7,800 00	6,250 00	318 00	130 00	24	1	39 00	46·00
Industrial Tel. Co.	Bradwell		2,000 00	1,944 00	126 00	59 00	11			21·00
Ingleside Tel. Co.	Harrowby		4,600 00	4,660 00	376 00	140 00	28	1	35 00	81·00
Innis Tel. Co.	Griffin		4,000 00	3,945 00	366 00	140 00	28	1	223 00	62·00
Ivanhoe Tel. Co.	Moosomin		3,800 00	3,677 00	376 00	152 00	28			45·00
Iola Tel. Co.	Fairmont		7,200 00	7,392 00	382 00	175 00	31			63·00
International Power Co. Tel. Line	Portal	7,900 00		758 00	645 00	632 00	26	4	486 00	6·00
Juniata Tel. Co.	Juniata		5,900 00	5,937 00	492 00	215 00	41	1	320 00	35·00
Kandahar Tel. Co.	Kandahar		6,000 00	6,000 00	382 00	175 00	31	1	180 00	70·00
Kansas Tel. Co.	Drake		11,000 00	9,953 00	936 00	390 00	78	2	66 00	180·00
Keelerville Tel. Co.	Keeler		8,800 00	8,555 00	656 00	275 00	53			148 00
Kanaston Tel. Co.	Kanaston		11,000 00	10,717 00	598 00	295 00	49	2	272 00	160·00
Khedive Tel. Co.	Khedive		6,000 00	5,516 00	570 00	235 00	45	1	225 00	88·00
Kindred Tel. Co.	Holdfast		5,000 00	5,032 00	336 00	160 00	28	1	2 00	74·00
Kingsley Tel. Co.	Windthorst		1,600 00	1,415 00	143 00	59 00	11			20·00
Kronan Tel. Co.	Kronan		8,000 00	7,217 00	534 00	230 00	42	2	81 00	105·00
Kilmorey Tel. Co.	Watrous		4,300 00	4,202 00	296 00	135 00	23			34·00
Kent Tel. Co.	Davidson		5,000 00	4,969 00	286 00	115 00	23			55·00
Kaiser Tel. Co.	Kaiser		2,250 00	2,284 00	210 00	85 00	15			32·00
Kenlis Tel. Co.	Kenlis	1,250 00		1,250 00	441 00	474 00	15	2	214 00	42·00
Kenilworth Tel. Co.	Pense	1,200 00		1,126 00	216 00	214 00	13			25·00
Kinley Tel. Co.	Kinley	1,375 00		1,361 00	456 00	504 00	12	1	49 00	24·00
Kendalton Tel. Co.	Wapella	1,180 00		1,180 00	237 00	210 00	10	1	5 00	27·00
King Edward Tel. Co.	Regina	1,475 00		1,870·00	229 00	169 00	12	1	50 00	26·00
Key West Tel. Co.	Ogema	4,100 00		3,411 00	362 00	206 00	40			106·00
Kindersley Tel. Co.	Kindersley	1,900 00		1,850 00	194 00	131 00	16	1	50 00	45·00
Kennedy High View Tel. Co.	Kennedy	1,350 00		1,233 00	162 00	70 00	10			32 00
Long Grade Tel. Co.	Milestone	780 00		775 00			13			23·00
Lang Mutual No. 1 Tel. Co.	Lang	630 00		630 00		33 00	15	1	9 00	16·00
" No. 2 "	"	640 00		474 00		56 00	17	1	56 00	16·00
" No. 3 "	"	1,050 00		900 00	67 00	67 00	14			13·00
" No. 4 "	"	1,300 00		1,300 00			27			28·00
" No. 5 "	"	1,500 00		1,700 00	49 00	41 00	28			34·00
Lake Centre Tel. Co.	Strassburg	6,000 00		5,500 00	586 00	542 00	42	1	120 00	124·00
Laird Tel. Co.	Laird	5,700 00		6,902 00	1,892 00	1,740 00	69	1	450 00	130·00
Lac Qui Parle Tel. Co.	Midale	7,000 00		7,000 00	1,508 00	1,376 00	69			171·00
Lumsden Beach Tel. Co.	Lumsden	2,400 00		1,725 00	615 00	649 00	22	1	83 00	37·00
Lake Tel. Co.	Abernethy	600 00		650 00	108 00	107 00	8	1	14 00	16·00
Livingston Tel. Co.	Brownlee	1,350 00		1,312 00	137 00	104 00	11	1	6 00	25·00
Laura Tel. Co.	Laura	7,900 00		6,810 00	3,639 00	3,215 00	78	1	750 00	136·00
Little Bluff Tel. Co.	Moosomin	1,525 00		2,300 00	267 00	253 00	15			41 00
Loretta Tel. Co.	Dalmeny	700 00		681 00		82 00	7			14·00
Luton Tel. Co.	Dubuc	850 00		839 00	135 00	135 00	8			19·00

TABLE 5.—Statement of Capital, Cost, Revenue, Operating Expenses, Number of Telephones, Wire Equipment, etc.—*Con.*

Name of Company.	Address.	Capital Stock.	Funded Debt.	Cost Property and Equipment	Revenue	Operating Expenses.	Number of Telephones.	Employees and Remuneration.		Miles of Wire.
							Magneto.	No.	Amount.	
Saskatchewan—Con.		$ cts.	$ cts.	$ cts.	$ cts.	$ cts.			$ cts.	
Lorlie Tel. Co.	Lorlie	1,650 00		1,581 00	112 00	140 00	13	1	14 00	36·00
Last Mountain Tel. Co.	Semans	3,575 00		3,680 00	777 00	259 00	25			80·00
Lajorde Tel. Co.	Lajorde		3,000 00	2,945 00	178 00	90 00	14	1	20 00	40·00
Lampman Tel. Co.	Lampman		8,000 00	8,460 00	654 00	310 00	52	1	25 00	117·00
Lampman N. Tel. Co.	"		3,000 00	2,786 00	234 00	65 00	17			38·00
Landen Tel. Co.	"		5,700 00	5,328 00	394 00	170 00	32	1	3 00	62·00
Langbank Tel. Co.	Langbank		7,700 00	7,519 00	680 00	285 00	55	1	98 00	128·00
Lanigan Tel. Co.	Lanigan		2,000 00	1,992 00	135 00	68 00	11			22·00
Latham Tel. Co.	Osage		6,200 00	4,815 00	344 00	145 00	27	1	15 00	104·00
Lewison Tel. Co.	Raymore		10,500 00	10,240 00	598 00	265 00	49	1	45 00	176·00
Lockwood Tel. Co.	Lockwood		10,000 00	9,964 00	691 00	285 00	57			143·00
Lovat Tel. Co.	Glenavon		2,500 00	2,268 00	138 00	61 00	10			15·00
Luton Tel. Co.	Dubuc		4,000 00	3,981 00	312 09	125 00	26	1	115 00	70·00
Lone Corner Tel. Co.	Qu'Appelle		3,500 00	3,072 00	210 00	80 00	15			57 00
Lewvan Tel. Co.	Lewvan		7,200 00	7,196 00	454 00	195 00	37	1	112 00	101·00
Loch Ayre Tel. Co.	Bethune		5,800 00	5,671 00	418 00	196 00	34	1	6 00	76·00
Liberty Tel. Co.	Liberty		3,500 00	3,319 00	226 00	110 00	18	1	4 00	57·00
Logberg Tel. Co.	Calder		4,600 00	4,400 00	219 00	90 00	16			29·00
Little Manitou Tel. Co.	Watrous		3,700 00	3,245 00	212 00	90 00	16	1	15 00	27·00
Lynne Tel. Co.	Langham		8,300 00	6,854 00	394 00	170 00	32			100·00
Laura Indep. Tel. Co.	Laura	1,000 00		1,000 00			14			0·75
Liberty Tel. Co.	Liberty	294 00		375 00	140 00	135 00	7			0·75
Lumsden Indep. Tel. Co.	Lumsden	2,400 00		5,184 00	3,485 00	2,810 00	109	5	1,894 00	10 00
Maple Leaf Tel. Co.	Tuxford	3,025 00		3,290 00	375 00	359 00	24	1	271 00	78·00
Moosomin E. Tel. Co.	Moosomin	825 00		1,100 00	271 00	211 00	12		12 00	22·00
Moosomin Tel. Co.	Moosomin	3,600 00		4,244 00	892 00	552 00	52		62 00	137·00
McTaggart Tel. Co.	McTaggart	4,825 00		5,747 00	2,096 00	1,816 00	67	1	900 00	126·00
Moosejaw, Granton & Blue Hill Tel. Co.	Moosejaw	5,550 00		6,749 00	961 00	1,061 00	58		207 00	184·00
Moose Mountain Tel. Co.	Arcola	4,800 00		4,711 00	980 00	802 00	40	1	81 00	146·00
Moosejaw Enterprise Tel. Co.	Moosejaw	1,175 00		1,069 00	200 00	115 00	10			18·00
Minnesta Tel. Co.	Vanscoy	1,150 00		1,547 00	295 00	191 00	22			60 00
Markinch Tel. Co.	Markinch	2,500 00		3,272 00	700 00	112 00	22	1	38 00	62·00
McFarlane Tel. Co.	Nokomis	1,200 00		1,380 00	222 00	197 00	12	1	35 00	30·00
Meadowvale Tel. Co.	Saltcoats	550 00		470 00	144 00	103 00	7			18·00
McLean Tel. Co.	McLean	1,500 00		1,800 00		138 00	23			35·00
Midway Tel. Co.	Strassburg	1,750 00		1,387 00	124 00	36 00	14			35·00

Mount Pisgah Tel. Co.	Balcarres	600 00		519 00	199 00	199 00	8			18 00
Maple Grove Tel. Co.	Cupar	1,050 00		1,086 00	86 00	120 00	10			24·00
Markineh N. Tel. Co.	Markinch	1,600 00		1,600 00	220 00	59 00	16	1	17 10	30·00
Markinch S. Tel. Co.	Markinch	1,100 00		1,357 00	93 00	25 00	11			23·00
Mountainside Tel. Co.	Strassburg	500 00		489 00	75 00	36 00	5			16·00
Montgomery Tel. Co.	Kennedy	700 00		498 00	80 00	71 00	5			18·00
Manor Tel. Co.	Manor		16,000 00	14,900 00	1,128 00	480 00	94	1	35 00	238·00
Maple Valley Tel. Co.	Davidson		4,900 00	4,800 00	314 00	145 00	27	1	25 00	162·00
Marquis Tel. Co.	Marquis		11,600 00	10,562 00	804 00	335 00	67	2	225 00	147·00
Maryfield Tel. Co.	Maryfield		7,000 00	6,946 00	432 00	208 00	36	1	23 00	117·00
Maymont Tel. Co.	Maymont		9,000 00	8,644 00	600 00	240 00	50	1	246 00	74·00
McGregor Tel. Co.	Macoun		4,200 00	4,049 00	380 00	165 00	31			70·00
Merrington Tel. Co.	Kindersley		3,750 00	3,854 00	234 00	95 00	17	1	30 00	59·00
Morris Tel. Co.	Osage		5,500 00	5,202 00	375 00	150 00	32	1	102 00	82·00
Morse	Morse		15,000 00	13,651 00	960 00	350 00	80	1	300 00	267·00
Moose Creek Tel. Co.	Carlyle		14,500 00	15,060 00	1,044 00	435 00	87	1	152 00	284·00
Mair Tel. Co.	Fairlight		11,400 00	10,826 00	598 00	265 00	49	1	58 00	210·00
Montgomery Tel. Co.	Kennedy		4,500 00	4,470 00	334 00	185 00	27	1	7 00	75·00
Meskanaw Tel. Co.	Kinistino		9,600 00	9,478 00	515 00	216 00	40	1	25 00	160·00
Moon Lake Tel. Co.	Saskatoon		2,500 00	2,235 00	132 00	65 00	11			25·00
Milestone Farmers Tel. Co.	Milestone	2,220 00		4,000 00	2,941 00	3,254 00	70	2	2,233 00	26·00
Milestone S.W. Indep. Tel. Co.	Milestone	2,025 00		1,991 00	341 00	281 00	29			35·00
Maryfield Indep. Tel. Co.	Maryfield	1,735 00		1,950 00	508 00	500 00	27	3	660 00	10·00
Maple Creek Tel. Co.	Maple Creek	10,460 00			2,700 00	900 00	154	2	1,300 00	54·00
Midale Indep. Tel. Co.	Midale	1,800 00		2,405 00	1,468 00	1,322 00	24	2	625 00	5·50
Melford Mun. Tel. Co.	Melford		9,100 00	14,799 00	6,974 00	5,492 00	159	5	2,340 00	600·00
North Regina Tel. Co.	Regina	525 00		646 00		60 00	7		4 00	9·00
North Carievale Tel. Co.	Carievale	975 00		877 00	98 00	83 00	14			22·00
North Portal Tel. Co.	North Portal	2,725 00		2,538 00	537 00	342 00	29	1	53 00	71·00
North Weyburn Tel. Co.	Weyburn	3,400 00		3,420 00	234 00	273 00	32		25 00	81·00
North Pense Tel. Co.	Pense	6,500 00		6,200 00	1,188 00	1,132 00	67			198·00
North Aberdeen Tel. Co.	Aberdeen	525 00		517 00	216 00	59 00	5			10·00
North Halbrite Tel. Co.	Halbrite	3,600 00		5,686 00	772 00	770 00	25			63·00
North Yorkton Tel. Co.	Yorkton	7,000 00		4,202 00	597 00	497 00	45	1	53 00	150·00
North Antler Tel. Co.	Gainsboro	3,000 00		2,530 00	180 00	204 00	22	1	52 00	58·00
North Star Tel. Co.	Wapella	1,375 00		1,375 00	120 00	51 00	11	1	8 00	35·00
North Kisbey Tel. Co.	Kisbey	5,075 00		7,119 00	866 00	758 00	43	1	360 00	95·00
North Craven Tel. Co.	Craven	2,825 00		2,573 00	544 00	126 00	22		12 00	50·00
North Wideawake Tel. Co.	Fort Qu'Appelle	1,431 00		1,573 00	126 00	93 00	9	1	65 00	39·00
North Langham Tel. Co.	Langham	449 00		436 00	18 00	10 00	6			10·00
North East Weyburn Tel. Co.	Weyburn	1,200 00		1,050 00	55 00	65 00	11		10 00	21·00
Nutana Tel. Co.	Saskatoon	900 00		675 00		78 00	9			11·00
New Stienbach Tel. Co.	Aberdeen	1,500 00		1,040 00	108 00	103 00	8	1		32·00
New Deloraine Tel. Co.	Davidson	2,825 00		3,000 00	648 00	655 00	24	1		60·00
New Hastings Tel. Co.	Moosomin	2,050 00		2,489 00	434 00	438 00	21		9 00	55·00
Nokomis Tel. Co.	Nokomis	2,500 00		2,705 00		60 00	19		20 00	52·00
Newberry Tel. Co.	Archives	3,275 00		3,274 00	299 00	316 00	29			53·00
Naisberry Tel. Co.	Melford		7,500 00	7,641 00	622 00	255 00	51	1	94 00	116·00
Neidpath Tel. Co.	Herbert		13,000 00	12,700 00	754 00	320 00	62	2	290 00	192·00
New Imperial Tel. Co.	Imperial		26,000 00	29,000 00	2,744 00	1,200 00	162	2	980 00	560·00

TABLE 5.—Statement of Capital, Cost, Revenue, Operating Expenses, Number of Telephones, Wire Equipment, etc.—*Con.*

Name of Company.	Address.	Capital Stock.	Funded Debt.	Cost Property and Equipment	Revenue.	Operating Expenses.	Number of Telephones.	Employees and Remuneration.		Mile of Wire.
							Magneto.	No.	Amount.	
Saskatchewan—Con.		$ cts.	$ cts.	$ cts.	$ cts.	$ cts.			$ cts.	
North Bienfait Tel. Co.	Bienfait		5,700 00	5,671 00	372 00	165 00	31	1	371 00	82·00
North Churchbridge Tel. Co.	Churchbridge		11,500 00	11,050 00	660 00	285 00	55	1	25 00	113·00
North Redvers Tel. Co.	Redvers		17,800 00	16,995 00	1,032 00	430 00	86	1	14 00	181·00
North Tyvan Tel. Co.	Tyvan		1,500 00	1,304 00	96 00	40 00	8			20 00
North Benson Tel. Co.	Benson		10,000 00	9,481 00	658 00	270 00	54	1	70 00	160·00
New Deloraine Tel. Co.	Davidson		5,500 00	6,000 00	310 00	135 00	25	1	85 00	75·00
Narrow Lake Tel. Co.	Wilkie		14,000 00	12,140 00	622 00	255 00	51			218·00
North Forget Tel. Co.	Forget		8,500 00	6,640 00	416 00	165 00	33	1	146 00	124·00
Okahena Tel. Co.	Drinkwater	1,000 00		990 00	157 00	138 00	18			18·00
Oxbow Tel. Co.	Oxbow	7,575 00		9,646 00	5,728 00	5,728 00	93	1	579 00	327·00
Overbrook Tel. Co.	Eyebrow	2,100 00		2,130 00	184 00	97 00	19		22 00	56·00
Odessa Tel. Co.	Odessa		11,000 00	10,077 00	808 00	345 00	69	1	153 00	149·00
Outram Tel. Co.	Outram		4,800 00	4,838 00	334 00	145 00	27	1	125 00	66·00
O. K. Tel. Co.	Colegate		3,500 00	3,256 00	190 00	75 00	15			38·00
Orange View Tel. Co.	Watrous		4,200 00	4,127 00	298 00	130 00	24	1	14 00	36·00
Ormiston Tel. Co.	Fort Qu'Appelle		2,500 00	2,612 00	210 00	63 00	12			30·00
Oak Hill Tel. Co.	Melville		14,000 00	13,176 00	696 00	310 00	58			240·00
Oxbow Indep. Tel. Co.	Oxbow	1,975 00		5,210 00	4,013 00	3,320 00	95	2	1,156 00	
Osage Indep. Tel. Co.	Osage	1,950 00		2,174 00	550 00	122 00	27			
Prairie Home Tel. Co.	Craik	1,800 00		2,150 00	908 00	789 00	16			46·00
Pioneer Tel. Co.	Moosejaw	1,375 00		1,375 00	165 00	150 00	11			24·00
Pleasant Plains Tel. Co.	Blackwood	1,675 00		2,286 00	206 00	195 00	11			36·00
Pleasant Creek Tel. Co.	Lemberg	2,625 00		2,639 00	219 00	196 00	22	1	41 00	50·00
Pleasant Forks Tel. Co.	Lemberg	1,800 00		1,400 00	90 00	78 00	12	1	49 00	42·00
Pasqua Tel. Co.	Pasqua	900 00		500 00	72 00	50 00	9			14·00
Pasqua S.E. Tel. Co.	Pasqua	1,320 00		1,320 00	64 00	60 00	8		60 00	22·00
Pengarth Tel. Co.	Pengarth	2,900 00		2,745 00	270 00	193 00	18	1	60 00	128·00
Prairieville Tel. Co.	Swift Current	1,000 00		1,100 00	384 00	252 00	12			24·00
Prospect Tel. Co.	Weyburn	1,950 00		1,114 00	76 00	67 00	10			27·00
Park Tel. Co.	Watrous	675 00		680 00	64 00	62 00	9		9 00	12·00
Prairieview Tel. Co.	Eyebrow	2,500 00		2,257 00			15			56·00
Prosperity Tel. Co.	Prosperity	2,350 00		2,244 00	110 00	125 00	15			55·00
Poplar Grove Tel. Co.	Wolseley	1,625 00		1,611 00	196 00	152 00	12	1	17 00	36·00
Pengman Tel. Co.	Pengman	7,375 00		7,408 00	888 00	750 00	62	1	457 00	120·00
Potter Tel. Co.	Tyvan	625 00		500 00	50 00	30 00	5			11·00
Pelly Tel. Co.	Pelly		1,200 00	1,200 00	85 00	35 00	6			10 00

Paswegin Tel. Co.	Paswegin		6,500 00	6,224 00	404 00	46 00	35 00	1	120 00	88·00
Pleasant Hills Tel. Co.	Melville		10,000 00	10,097 00	466 00	190 00	38	1	130 00	172·00
Pibrock Tel. Co.	Regina		20,200 00	22,692 00	1,128 00	480 00	94	1	65 00	430·00
Pleasant Valley Tel. Co	Bladworth		8,300 00	8,043 00	478 00	195 00	39	1	21 00	167·00
Pleasant View Tel. Co.	Briercrest		7,000 00	6,839 00	384 00	170 00	32	1	40 00	108·00
Plymouth Tel. Co.	Watrous		4,200 00	4,173 00	224 00	95 00	17	1	9 00	88·00
Prairie Tel. Co.	Tate		3,200 00	2,733 00	210 00	85 00	17	1	12 00	33·00
Prairie Lea Tel. Co.	Creelman		4,700 00	4,687 00	334 00	145 00	27			66·00
Prairie Lily Tel. Co.	Rouleau		4,000 00	3,848 00	245 00	110 00	20			53·00
Progressive Tel. Co.	Bradwell		2,200 00	1,845 00	136 00	50 00	10			21·00
Parkbeg Tel. Co.	Parkbeg		7,700 00	7,706 00	42 00	186 00	36			123·00
Petrolia Tel. Co.	Moosejaw		3,000 00	2,837 00	196 00	74 00	12			38 00
Patience Lake Tel. Co.	Sutherland		7,000 00	6,450 00	454 00	95 00	37			104·00
Pense Indep. Tel. Co.	Pense	1,500 00		2,500 00	966 00	893 00	50			
Quill Plains Tel. Co.	Watson		10,000 00	9,673 00	612 00	265 00	51			118·00
Regina Grand View Tel. Co.	Kroman	3,850 00		3,880 00	300 00	300 00	20			92·00
Rouleau Farmers Tel. Co.	Rouleau	1,725 00		1,800 00	536 00	360 00	25	1	122 00	32·00
Riverside Tel. Co.	Rouleau	625 00		653 00	122 00	138 00	8			17·00
Rose Plain Tel. Co.	Regina	3,500 00		3,500 00	480 00	300 00	24		50 00	60·00
Rose Valley	Indian Head	4,025 00		4,098 00	682 00	452 00	37	1	10 00	97·00
Rough Bark Tel. Co.	Halbrite	1,875 00		1,981 00	319 00	397 00	24			78·00
Regina Beach Tel. Co.	Lumsden	2,500 00		2,900 00	352 00	275 00	22	3	20 00	52·00
Riga Tel. Co.	Riga	1,600 00		1,800 00	318 00	306 00	13	1	27 00	58·00
Red Fox Valley Tel. Co.	Sintalata	3,375 00		3,115 00	330 00	314 00	21	2	40 00	54·00
Rufus Tel. Co.	Pense	1,100 00		962 00	148 00	184 00	11			21·00
Roeanville Tel. Co.	Roeanville	6,000 00		6,440 00	1,079 00	508 00	57	2	120 00	116·00
Rudolph Tel. Co.	Rouleau	1,275 00		1,635 00	224 00	160 00	15	1		24·00
Ruby Tel. Co.	Aylesbury	1,100 00		1,030 00	97 00	68 00	9			21·00
Rosthern Tel. Co.	Laird	5,100 00		4,625 00	2,747 00	2,631 00	35	1	116 00	116·00
Reciprocity Tel. Co.	Pense	830 00		800 00			9			13·00
Richfarms Tel. Co	Nokomis	5,685 00		5,800 00	393 00	346 00	48			74·00
Renown Tel. Co.	Renown		10,800 00	10,640 00	658 00	270 00	54			115·00
Rainton Tel. Co.	Rainton		6,300 00	6,270 00	375 00	165 00	30	2	363 00	68·00
Raymore Tel. Clo.	Raymore		9,000 00	8,341 00	430 00	185 00	35			104·00
Regal Tel. Co.	Swift Current		5,800 00	5,700 00	286 00	115 00	23			82·00
Redrows Tel. Co.	Balcarres		1,200 00	1,186 00	98 00	35 00	5			19·00
Rhein Tel. Co.	Rhein		4,000 00	3,836 00	192 00	80 00	16	1	58 00	36·00
Riceton Tel. Co.	Riceton		13,000 00	11,417 00	684 00	285 00	57			163 00
Rich Prairie Tel. Co.	Bienfait		6,200 00	5,763 00	274 00	120 00	22	2	428 00	88·00
Rockland Tel. Co.	Semans		4,450 00	4,305 00	264 00	120 00	22			66 00
Rowlette Tel. Co.	Caron		4,100 00	4,100 00	180 00	75 00	15	1	59 00	71·00
Roxboro Tel. Co.	Griffin		3,600 00	3,156 00	206 00	90 00	18			44·00
Rugg Tel. Co	Outram		7,000 00	7,178 00	426 00	165 00	33	2	190 00	111·00
Rosebank Tel. Co.	Carnduff		5,500 00	5,359 00	245 00	110 00	20	2		80·00
River Ayr Tel. Co.	Broadview		2,500 00	2,471 00	120 00	49 00	10	1	10 00	30·00
Ruddell Tel. Co.	Ruddell		6,500 00	5,989 00	634 00	160 00	32	1	32 00	84·00
Roll Tel. Co	Qu'Appelle		1,500 00	1,390 00	108 00	45 00	9			13·00
Redvers Indep. Tel. Co.	Redvers	1,000 00		1,288 00	77 00	118 00	20	1	107 00	40·00
Saskatchewan Goverment Telephones	Regina		5,027,161 60	5,027,161 60	779,649 60	423,289 90	*16,764	361	334,500 00	94,774 00

* Including 9,906 operated by Central energy.

TABLE 5.—Statement of Capital, Cost, Revenue, Operating Expenses, Number of Telephones, Wire Equipment, etc.—*Con*

Name of Company.	Address.	Capital Stock.	Funded Debt.	Cost Property and Equipment	Revenue	Operating Expenses.	Number of Telephones.	Employees and Remuneration.		Miles of Wire.
							Magneto.	No.	Amount.	
Saskatchewan—Con.		$ cts.	$ cts.	$ cts.	$ cts.	$ cts.			$ cts.	
Sutherland Tel. Co.	Saskatoon	1,200 00		1,200 00		101 00	8			27·00
Swanston Tel. Co	Govan	6,875 00		7,485 00	1,363 00	1,074 00	49			200 00
Springcreek-Coverdale Tel. Co.	Moosomin	3,850 00		3,877 00			30			111·00
Saltcoats Tel. Co.	Saltcoats	6,725 00		8,834 00	2,746 00	1,867 00	88	1	149 00	288·00
Sunnyhill Tel. Co	Briercrest	2,300 00		4,309 00	548 00	504 00	21	1	20 00	74·00
Silverton Tel. Co.	Carnduff	1,825 00		1,875 00	575 00	300 00	24	1	50 00	45 00
Stony Beach Tel. Co.	Belle Plaine	5,700 00		5,251 00	789 00	688 00	58	2	466 00	198 00
Summerside Tel. Co	Caron	4,537 00		4,172 00	757 00	487 00	34			114·00
S. Antler Tel. Co.	Carnduff	1,100 00		1,100 00	154 00	117 00	13			26·00
S. Regina Tel. Co.	Regina	1,000 00		939 00	149 00	74 00	9			18·00
Stoughton Tel. Co.	Stoughton	4,300 00		4,246 00	521 00	311 00	43	1	68 00	82·00
Sedley Tel. Co	Sedley	3,240 00		3,240 00	302 00	215 00	24			94·00
Spring Coulee Tel. Co.	Sintaluta	1,150 00		1,164 00	159 00	168 00	9		10 00	20·00
Sunny South Tel. Co.	Indian Head	1,150 00		1,300 00	522 00	461 00	12	2	275 00	24·00
S. Carievale Tel. Co.	Carievale	1,125 00		1,026 00	143 00	138 00	15			26·00
Stanley Tel. Co.	Moosomin	1,000 00		1,140 00	182 00	169 00	12		15 00	28·00
Springdale Tel. Co.	Regina	1,725 00		1,509 00	55 00	75 00	11			26·00
S. Gainsboro Tel. Co.	Gainsboro	2,625 00		2,700 00	452 00	303 00	27	1	30 00	76·00
S. Welwyn Tel. Co.	Welwyn	1,150 00		1,460 00	273 00	250 00	11			21·00
Sherwood	Regina	4,375 00		4,000 00	579 00	382 00	31	1	30 00	92·00
S. Pense Tel. Co.	Pense	1,200 00		1,184 00	256 00	203 00	11			32·00
St. Andrews Tel. Co.	Wapella	1,100 00		1,095 00	166 00	121 00	11	1	8 00	32·00
Sarawak Tel. Co.	Belle Plaine	1,100 00		1,018 00	188 00	50 00	12			22 00
S. Arcola Tel. Co.	Arcola	4,375 00		4,327 00	520 00	210 00	29	1	35 00	105 00
Stewart Valley-Leiman Tel. Co.	Stewart Valley	2,150 00		2,063 00	193 00	120 00	12			52·00
Sunrise Tel. Co.	Grand Coulee	1,200 00		923 00	160 00	181 00	12		12 00	16·00
Summerhill Tel. Co.	Grenfell	1,375 00		1,135 00		177 00	11		14 00	26·00
Superior Tel. Co.	Swift Current	1,750 00		1,750 00	13 00	104 00	32			16·00
S. Carlyle Tel. Co.	Carlyle	1,150 00		1,032 00	210 00	189 00	6		38 00	28·00
Sydenham Tel. Co.	Guernsey	2,050 00		2,600 00	873 00	852 00	20	1	73 00	44·00
Summerberry Tel. Co.	Summerberry	5,150 00		5,000 00	865 00	941 00	42		85 00	95·00
S. Boharm Tel. Co.	Moosejaw	1,467 00		1,371 00	72 00	91 00	10		8 00	26·00
Semans Tel. Co.	Semans	5,550 00		6,338 00	1,097 00	1,068 00	39			116·00
Strassburg Tel. Co.	Strassburg	450 00		428 00		11 00	6			6·00
Sunny North Tel. Co.	Southey	1,125 00		1,023 00	49 00	79 00	9		10 00	25·00
Swift Creek Tel. Co.	Carlyle	1,200 00		1,200 00	131 00	137 00	12			20·00

Saline Tel. Co.	Tate	2,250 00		2,084 00	574 00	329 00	18			40·00
Springbrook Tel. Co.	Fort Qu'Appelle	1,250 00		1,087 00	147 00	127 00	10	1	50 00	24·00
S. Maryfield Tel. Co.	Maryfield	3,550 00		3,350 00		34 00	28	1	33 00	81·00
Scandinavian Tel. Co.	Govan		4,000 00	3,480 00	238 00	105 00	19			65·00
Schneider Tel. Co.	Weyburn		3,000 00	2,477 00	156 00	65 00	12			28 00
Seaforth Tel. Co.	Simpson		7,200 00	7,585 00	732 00	305 00	61	1	150 00	131·10
Seymour Tel. Co.	Carievale		5,300 00	5,240 00	286 00	125 00	23			81 00
Silton N.W. Tel. Co.	Silton		6,500 00	6,133 00	348 00	145 00	29	1	75 00	60·00
Sinnett Tel. Co.	Lanigan		2,500 00	2,260 00	132 00	65 00	11			44·00
S. Bethune Tel. Co.	Bethune		5,300 00	5,278 00	396 00	165 00	33			74·00
S. Churchbridge Tel. Co.	Churchbridge		8,800 00	7,943 00	528 00	220 00	44	1	38 00	63·00
S. Cupar Tel. Co.	Cuppar		4,000 00	3,280 00	226 00	70 00	18			45·00
S. Forget Tel. Co	Forget		14,000 00	13,238 00	852 00	365 00	71	1	258 00	162·00
S. Kisbey Tel. Co.	Kisbey		6,500 00	6,235 00	588 00	245 00	49	2	242 00	130·00
S. Radisson Tel. Co.	Radisson		7,000 00	7,169 00	526 00	240 00	18	1	77 00	75·00
S. Valley Tel. Co.	Kindersley		4,200 00	4,160 00	178 00	180 00	14			54·00
Star Tel. Co.	Antler		8,800 00	9,690 00	636 00	265 00	53	2	415 00	169·00
Starr's Point Tel. Co.	Qu'Appelle		7,200 00	7,210 00	418 00	175 00	34			113·00
St. Elmo Tel. Co.	Griffin		3,000 00	2,381 00	178 00	80 00	14	1	108 00	36·00
Springfield Tel. Co.	Strongfield		9,000 00	8,269 00	622 00	255 00	51			111·00
Success Tel. Co.	Melville		7,000 00	6,740 00	384 00	160 00	32	1	47 00	438·00
Sunderland Tel. Co.	Kylemore		3,600 00	3,600 00	228 00	105 00	19			51 00
Sunneyside Tel. Co.	Leney		9,500 00	9,133 00	720 00	310 00	60	1	575 00	147·00
Swanson Tel. Co.	Swanson		8,000 00	7,690 00	424 00	185 00	37	1	396 00	102·00
Swift Current Tel. Co.	Swift Current		2,700 00	2,215 00	135 00	67 00	11			30 00
Silverwood Tel. Co.	Wappella		3,600 00	3,415 00	226 00	110 00	18	1	35 00	51·00
Sunshine Tel. Co.	Avonlea		5,200 00	4,990 00	382 00	165 00	31	1	252 00	38·00
S. Tyvan Tel. Co.	Tyvan		2,700 00	2,760 00	210 00	95 00	15			34·00
Sprattville Tel. Co.	Girvin		6,000 00	5,172 00	348 00	145 00	29			78 00
Storthoaks Tel. Co.	Storthoaks		17,000 00	16,000 00	910 00	375 00	75	1	75 00	235 00
Squirrel Hills Tel. Co.	Indian Head		1,600 00	1,653 00	125 00	55 00	10			25·00
S. LanghamTel. Co.	Langham		12,500 00	12,340 00	852 00	355 00	71			140 00
Sask. River Tel. Co.	Outlook		6,600 00	6,470 00	365 00	162 00	30			82·00
Sask. View Tel. Co.	Saskatoon		5,000 00	5,105 00	266 00	135 00	23			80·00
Simpson Indep. Tel. Co.	Simpson	1,250 00		1,200 00	1,184 00	1,004 00	30	1	288 00	7·00
Sedley Tel. Co.	Sedley	600 00		600 00	340 00	325 00	17			15·00
Theodore, Springside & Beaverdale Tel. Co.	Theodore	3,200 00		4,500 00	242 00	197 00	43			150 00
Tregarva Union Tel. Co.	Tregarva	4,050 00		4,620 00	1,155 00	1,058 00	45	2	230 00	150·00
Thunder Creek Tel. Co.	Carievale	1,125 00		1,204 00	290 00	288 00	15	1	246 00	29·00
Tugaske Tel. Co.	Tugaske	1,602 00		1,602 00	148 00	90 00	18	2	37 00	26·00
Teece Tel. Co.	Abernethy	800 00		819 00	91 00	94 00	6			16·00
Tantallon Tel. Co.	Tantallon		7,000 00	6,889 00	816 00	340 00	68	1	335 00	124·00
Tessier Tel. Co.	Tessier		12,200 00	10,894 00	744 00	185 00	57	2	486 00	140·00
Third Meridian Tel. Co.	Davidson		7,700 00	7,490 00	480 00	225 00	40	1	35 00	89·00
Thornfield Tel. Co.	Venn		4,600 00	4,225 00	251 00	110 00	20	1	35 00	64·00
Thorsin Tel. Co.	Macoun		5,700 00	5,510 00	352 00	140 00	26			90·00
Troy Tel. Co.	Qu'Appelle		1,800 00	1,702 00	145 00	65 00	12			24·00
Truax Valley Tel. Co.	Truax		3,500 00	3,328 00	214 00	95 00	16	1	241 00	87·00
Tullymet Tel. Co.	Balcarres		6,000 00	5,875 00	312 00	130 00	26			131 00

TABLE 5.—Statement of Capital, Cost, Revenue, Operating Expenses, Number of Telephones, Wire Equipment, etc.—*Con*

Name of Company.	Address.	Capital Stock.	Funded Debt.	Cost Property and Equipment.	Revenue.	Operating Expenses.	Number of Telephones.	Employees and Remuneration.		Miles of Wire.
							Magneto.	No.	Amount.	
Saskatchewan—Con.		$ cts.	$ cts.	$ cts.	$ cts.	$ cts.			$ cts.	
Tyvan Tel. Co.	Tyvan		4,700 00	4,447 00	310 00	135 00	25			64·00
Talmage Tel. Co.	Talmage		5,000 00	5,100 00	320 00	125 00	25	2	58 00	50·00
Tipperary Tel. Co.	Lanigan		2,500 00	2,375 00	115 00	59 00	9			25·00
Togo Tel. Co.	Togo		1,000 00	10,800 00	612 00	265 00	51			152·00
Tate Indep. Tel. Co.	Tate	1,250 00		1,114 00	433 00	305 00	12	1	245 00	4·00
Union Tel. Co.	Cupar	625 00		750 00	97 00	52 00	12			8·00
Unity Tel. Co.	Unity		34,500 00	32,792 00	1,800 00	750 00	150	1	120 00	273·00
Victoria Tel. Co.	Regina	1,500 00		1,500 00	192 00	192 00	12	2	42 00	50·00
Vanscoy Tel. Co.	Vanscoy	1,850 00		1,813 00	265 00	141 00	26	2	191 00	52·00
Vernon Tel. Co.	Moosejaw	400 00		400 00	36 00	54 00	5			12·00
View Hill Tel. Co.	Estevan	2,850 00		2,600 00	285 00	242 00	25			70·00
Venn Tel. Co.	Venn	5,800 00		8,245 00	1,863 00	1,475 00	54		575 00	151·00
Vandura Tel. Co.	Vandura	1,650 00		1,549 00	81 00	80 00	11			29 00
Vibank Tel. Co.	Vibank	3,750 00		3,562 00	173 00	163 00	28		108 00	62·00
Valley Tel. Co.	Moosomin		2,200 00	2,160 00	125 00	52 00	10	1	5 00	10·00
Valley View Tel. Co.	Bladworth		2,000 00	1,759 00	82 00	30 00	6	1	4 00	22·00
Victor Tel. Co.	Saskatoon		5,700 00	5,463 00	432 00	180 00	36			106·00
Virtue Tel. Co.	Saskatoon		4,000 00	3,201 00	166 00	85 00	13	1	10 00	49·00
Viscount Tel. Co.	Viscount		21,000 00	23,577 00	2,106 00	510 00	108	1	91 00	374·00
View Grand Tel. Co.	Frobisher		2,200 00	2,100 00	140 00	60 00	10			29 00
Viscount Village Indep. Tel. Co.	Viscount	545 00		585 00	300 00	275 00	12			
Westfield Tel. Co.	Wollsley	2,950 00		2,265 00	291 00	235 00	24	1		44·00
Wideawake Tel. Co.	Indian Head	4,075 00		4,854 00	777 00	792 00	38			120·00
Weyburn Tel. Co.	Weyburn	9,375 00		9,375 00	2,109 00	1,830 00	76	8	380 00	234·00
Wilcox Mutual Tel. Co.	Wilcox	6,250 00		7,335 00	1,024 00	704 00	69		450 00	168·00
W. Weyburn Tel. Co.	Weyburn	375 00		375 00	35 00	33 00	5			10·00
Wheatland Tel. Co.	Carnduff	4,400 00		4,400 00	730 00	701 00	44			170·00
Wall Lake Tel. Co.	Dundurn	2,900 00		2,675 00		75 00	13		10 00	52·00
Willmar Tel. Co.	Arcola	5,000 00		5,000 00	1,259 00	1,094 00	42	2	539 00	101 00
Wascana Tel. Co.	Lumsden	2,600 00		2,500 00	314 00	304 00	29	1	96 00	68·00
Wheatbelt No. 2 Tel. Co.	Delisle	2,975 00		3,540 00		173 00	29	1	80 00	92·00
Wheatbelt No. 3 Tel. Co.	Delisle	3,300 00		2,100 00	529 00	461 00	30	1	142 00	124 00
Welwyn Tel. Co.	Welwyn	2,850 00		3,419 00	765 00	888 00	35			62·00
Wheatfield Tel. Co.	Perdue	975 00		1,002 00			9			25·00
W. Pioneer Tel. Co.	Moosejaw	1,650 00		1,492 00	137 00	121 00	9		10 00	34·00
Waldheim Tel. Co.	Waldheim	2,700 00		1,050 00	606 00	300 00	33	2	230 00	50·00

West View Tel. Co.	West View	5,100 00		5,372 00	595 00	741 00	33	1	69 00	146·00
Weldon Tel. Co	Grenfell	4,850 00		4,850 00	456 00	448 00	35			130·00
Woodlands Tel. Co.	Moosomin	2,200 00		2,082 00			17			44 00
Wildwood Tel. Co.	Carlyle	1,300 00		1,400 00	240 00	105 00	12			36·00
Windon Tel. Co.	Waldheim	5,695 00		5,549 00	1,065 00	575 00	49	2	233 00	132·00
Wreford Tel. Co.	Nokomis	1,300 00		1,300 00	345 00	185 00	12			27·00
Watrous Tel. Co.	Watrous	1,280 00		1,235 00	79 00	43 00	9		29 00	22·00
Wheat Plains Tel. Co.	Broderick	3,650 00		3,600 00	588 00	235 00	28	1	175 00	96·00
Wilson Tel. Co.	Keeler	2,600 00		2,565 00	400 00	337 00	24	1	39 00	56·00
Warman Tel. Co.	Warman		7,200 00	7,171 00	384 00	170 00	32	1	106 00	90·00
Wessells Tel. Co.	Govan		5,200 00	5,177 00	370 00	160 00	30			85·00
West Tel. Co.	Lemberg		1,000 00	968 00	125 00	55 00	10			
Westbrook-Gladwin Tel. Co.	Theodore		5,200 00	5,258 00	248 00	110 00	20	2	248 00	68·00
W. Froude Tel. Co.	Froude		3,700 00	3,423 00	253 00	115 00	20	2	89 00	44·00
W. Osage Tel. Co.	Osage		5,300 00	4,482 00	322 00	140 00	26			57·00
Whitewood Tel. Co.	Whitewood		10,000 00	9,359 00	600 00	250 00	50			169·00
Whitewood-St. Hubert Tel. Co.	Whitewood		16,000 00	17,193 00	1,108 00	420 00	84	1	125 00	252 00
Wilberforce-Lampman Tel. Co.	Lampman		9,700 00	9,500 00	552 00	230 00	46	2	600 00	143·00
Wilcox Indep. Tel. Co.	Wilcox		2,200 00	2,522 00	226 00	90 00	16	1	35 00	18·00
Willow Hill Tel. Co.	Davidson		6,200 00	6,271 00	310 00	125 00	25	1	13 00	100·00
Wood End Tel. Co.	Estevan		9,500 00	9,820 00	612 00	255 00	51	1	51 00	176·00
W. Halbrite Tel. Co.	Halbrite		4,000 00	3,431 00	158 00	68 00	12	1	28 00	45·00
W. Graytown Tel. Co.	Windthorst		13,000 00	11,741 00	612 00	265 00	51	1	185 00	269 00
Wauchope Tel. Co.	Wauchope		2,700 00	2,530 00	145 00	65 00	13	1	18 00	15·00
Beverley Tel. Co.	Beverley		3,000 00	3,015 00	192 00	80 00	16			35·00
Willsmer Tel. Co.	Simpson		9,500 00	8,875 00	720 00	310 00	60			137·00
W. Langham Tel. Co.	Langham		4,000 00	3,680 00	225 00	115 00	20			59·00
Yellow Grass Tel. Co.	Yellow Grass	7,600 00		16,300 00	3,063 00	3,063 00	166			393·00
Yorkton Tel. Co.	Yorkton	9,600 00		9,600 00		2,220 00	93	1	223 00	254·00
Young Tel. Co.	Young		13,500 00	13,400 00	804 00	335 00	67	2	320 00	188·00
Yellow Grass Indep. Tel. Co.	Yellow Grass	1,710 00		1,761 00	342 00	274 00	67		25 00	20·00
Zorra-McNutt Tel. Co.	McNutt		6,000 00	5,695 70	336 00	140 00	28	1	60 00	90·00
Zelma Tel. Co.	Zelma		7,500 00	7,725 00	480 00	210 00	40	1	43 00	90·00
Totals		914,844 00	7,132,961 60	7,984,303 60	1108,867 60	648,952 90	*31,220	774	399,025 00	†146,642 75

* Including 9,906 operated by Central energy.

† 61,330 Urban miles, 85,312·75 Rural miles (estimated).

TABLE 6.—Statement of Capital, Cost, Revenue, Operating Expenses, Number of Telephones, Employees, etc.

Name of Company.	Address.	Capital Stock.	Funded Debt.	Cost Property and Equipment	Revenue.	Long Distance Receipts.	Operating Expenses.	Number of Telephones.		Employees and Remuneration.	
								Central.	Magneto	No.	Amount.
Nova Scotia		$ cts.		$ cts.	$ cts.	$ cts.	$ cts.				$ cts.
Abercrombie Mutual Tel. Co.	Abercrombie			1,085 90	77 30	52 90	70 33		20	2	15 45
Athol Rural Tel. Co.	Athol	326 10		369 35	161 25		166 87		12		
Antigonish Harbour Tel. Co., Ltd.	Harbour Road	300 00		600 00	15 00		15 00		11		
Alder Point Tel. Co., Ltd.	Little Bras d'Or	700 00		700 00	24 00	9 23	25 00		6		25 00
Barneys River Tel. Co.	Laggan	4,600 00		1,984 17	145 25		145 25		25	1	19 15
Bass River Tel. Co.	Bass River			1,000 00	270 00		100 00		30		
Bayfield Road Tel. Co.	Bayfield	50 00		50 00	27 00		27 00		6		
Bayview Tel. Co	Pictou	665 00		855 00	79 30		79 30		14	1	15 00
Beacon Hill & Millburn Tel. Co.	Millburn			534 74	90 00		90 00		13		
Beaver Bank & Co.	Beaver Bank	554 85		554 85	150 65	20 00	150 65		9	1	22 85
Beech Hill Tel. Co.	Beach Hill	441 55		441 55	23 70		23 70		5		
Belleville Rural Tel. Co.	Belleville North	600 00		876 40	396 04	81 77	343 76		19		
Belmont Tel. Co.	Belmont			1,000 00	100 00	25 00	55 00		34	1	55 00
Big Pond Centre Tel. Co.	Big Pond Centre	750 00		759 00	90 00		60 00		7		
Blandford	Hubbards	1,800 00		1,800 00	371 92	244 87	241 97		14	8	66 94
Broad Cove Tel. Co.	Broad Cove	275 00		275 00	48 00	20 00	32 00		2		
Brooklyn Tel. Co., Ltd.	Brooklyn										
Brookvale Tel. Co.	Brookvale	360 00		430 00	50 00		15 00		9	1	15 00
Bridgetown & Dalhousie West Tel. Co.	Dalhousie West	425 00		640 00	84 35		73 24		8	1	10 00
Brule Tel. Co.	Tatamagouche	1,300 30		1,365 30	144 25	1 00	143 25		28	1	3 25
Caledonia Mills Tel. Co.	Caledonia Mills			415 00	20 00		20 00		10		
Caledonia Tel. Co.	Caledonia			1,062 63	38 05		26 75		6		
Canaan Tel. Co.	Canaan										
Cape d'Or Tel. Co.	Cape d'Or										
Carleton Tel. Co., Ltd.	Kemptville	1,500 00		2,000 00	450 00		316 00		15	4	150 00
Central Cariboo Tel. Co.	Pictou			266 10	5 00		5 00		5		
Central New Annan Tel. Co.	Central New Annan			680 00	5 00		5 00		25		
Chaswood Tel. Co.	Chaswood			75 00	10 00		10 00		5		
Clam Harbour & Owls Head Tel. Co.	Owls Head	500 00		500 00	68 00		21 52		7	1	5 00
Coastal Tel. Co.	Bayside	2,000 00		3,200 00	621 00	433 00	630 00		25	4	400 00
Cole Harbour & Woodlawn Tel. Co.	Dartmouth	650 00		650 00	152 71	7 21	152 71		12	1	15 00
Cow Bay Tel. Co.	Cow Bay	700 00		700 00	120 00		120 00		12	2	
Cumberland Tel. Co.	Northport	3,725 00		2,500 00	1,791 68		1,112 27		82	2	450 00
Dean Tel. Co.	Dean			1,235 00	25 00		25 00		22		
Earltown Tel. Co.	Earltown			432 37	86 70		86 70		7		
East Bay & Big Pond Tel. Co.	Big Pond										

East Chezzetcook Tel. Co.	E. Chezzetcook			110 00	23 00		5 00	2		
Eastern Cole Harbour Tel. Co.	Dartmouth			1,259 55	160 00		160 00	16		
East Ingleside Tel. Co.	E. Ingleside			530 00	64 00		64 00	16		
East Leicester Tel. Co.	Oxford			470 00	60 98		60 98	9		
East Pictou Tel. Co.	Little Harbour	1,000 00	2,000 00	1,500 00	1,101 46		1,081 63	57	3	242 00
East River Tel. Co.	Springville	3,200 00		3,500 00	600 00	228 00	764 00	80	3	250 00
East Stewiacke Tel. Co.	Stewiacke	320 00		320 00	210 00		210 00	21		
East Victory Tel. Co.	Victory	740 00		740 00	35 00	1 60	35 00	8		
East Wallace Tel. Co.	E. Wallace	300 00		375 00	28 00		28 00	7	1	28 00
East Wentworth Tel. Co.	E. Wentworth	325 00		325 00	37 37		37 37	10		
Falls Mutual Tel. Co.	The Falls			1,750 00	165 00		165 00	35	1	12 00
Farmers Tel. Co.	Grafton			24,472 32	5,328 00		3,624 85	452	6	1,464 00
Forks Baddeck Tel. Co.	Baddeck Forks			875 00				25		
Fox Brook Tel. Co.	Stellarton			240 00		1 29		6		
Fox Harbour Tel. Co.	Fox Harbour Point			500 00	19 00	22 00	19 00	14		
Gabarous Tel. Co.	Louisburg									
Gammons Point Tel. Co.	Tor Bay			191 00	30 00		30 00	6		
Gegoggin Tel. Co.	Gegoggin									
Glengarry Tel. Co.	Hopewell			700 00	5 00		5 00	18		
Goffs & Oldham Tel. Co.	Goffs	355 00	355 00	375 88	105 80		87 21	4		
Grand Mira Tel. Co.	Grand Mira			8,830 00	496 06	31 11	432 75	80	3	30 00
Greenfield Tel. Co.	Greenfield									
Hammond's Plains Tel. Co.	Bedford	500 00		800 00	130 00		100 00	11	1	35 00
Harrison Road Tel. Co.	Maccan			278 72	25 00		25 00	8		
Harmony Tel. Co.	Harmony			692 50	25 00	15 10	25 00	14	1	25 00
Head of Wallace Bay Tel. Co.	Wallace Bay South			310 00	7 00	3 00	6 00	15		
Heathbell & Plainfield Tel. Co.	Scotsburn Sta.			2,500 00	42 00		42 00	42	1	42 00
Heatherton Mutual Tel. Co.	Glassburn			2,406 31	12 25		12 25	38		
Hillsburn Tel. Co.	Hillsburn			200 00	100 93		94 71	3		
Hillside Tel. Co.	Hillside			900 00	12 00		12 00	15		
Indian Point Tel. Co.	Indian Point	150 00		150 00	33 00		33 00	2		
Isle Madam Tel. Co.	Arichat	2,500 00		3,515 29	492 74	236 36	539 65	22	4	330 00
Jeddore Tel. Co.	Smith's Settlement			800 00	150 00		75 00	11	1	40 00
Jordan Bay Tel. Co.	Lower Jordan Bay			800 00	45 00		24 00	9	1	9 00
Jordan Tel. Co.	Jordan East	120 00		120 00	40 00		40 00	4		
Judique Tel. Co.	Judique North			1,560 00				22		
Karsdale Tel. Co.	Karsdale	500 00		500 00	196 00		188 00	15	2	40 00
Lake La Rose Tel. Co.	Annapolis Royal			472 77	42 00		42 00	7		
Lakewale Tel. Co.	Lakevale			2,150 00	210 00		75 00	20	2	75 00
Lawrence Town Tel. Co.	Lawrencetown	1,991 00		1,900 00	3 7 67	245 00	145 00	31	1	25 00
LeBlanc Tel. Co.	Salmon River			106 00	36 00		27 65	3		
Lewiston Tel. Co.	Lewiston									
Linacy Tel. Co.	New Glasgow	350 00		492 28	132 00	12 49	132 00	11		
Little Narrows Tel. Co.	Little Narrows									
Lorne Mutual Tel. Co.	Hopewell	360 00		620 00	40 00		35 00	33	1	35 00
Lovat Mutual Tel. Co.	Saltsprings			1,080 00	5 00		5 00	19		
Lower La Have Tel. Co.	Lower La Have									
Meaford Co-op. Tel. Co.	Meaford			500 00				17		
Malagash Tel. Co.	North Shore	300 00		300 00	26 68		10 00	12	1	5 00
Maitland & Noel Tel. Co.	Noel	1,800 00		2,500 00	602 03	300 00	489 76	38	2	270 00

TABLE 6.—Statement of Capital, Cost, Revenue, Operating Expenses, Number of Telephones, Employees, etc.—*Concluded.*

Name of Company.	Address.	Capital Stock.	Funded Debt.	Cost Property and Equipment	Revenue.	Long Distance Receipts.	Operating Expenses.	Number of Telephones.		Employees and Remuneration.	
								Central.	Magneto	No.	Amount.
Nova Scotia—Con.		$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.				$ cts.
Maple Leaf Tel. Co., Ltd.	Merigomish	3,770 00		4,765 23	1,265 53		713 57		86	2	300 00
Mapleton Tel. Co.	Leamington	1,160 00		1,160 00	91 70		91 70		29	3	91 70
Maritime Teleg. & Tel. Co., Ltd.	Halifax	1,850,000 00	1,500,000 00	3,553,465 33	515,280 06	208,073 17	486,818 51	14,437	5,615	690	270,017 12
Meadowgreen Tel. Co.	St. Andrews			898 00	65 00		65 00		13		
Melbourne Tel. Co.	Arcadia			975 00	299 21	58 21	60 00		12	1	40 00
Middle River Tel. Co.	Rocklin	3,500 00		2,800 00	353 00	36 65	337 00		67	2	193 00
Middle River & Hunter's Mtn. Tel. Co.	Hunter's Mountain	858 50		747 50					15		
Middleboro Tel. Co.	Hartford										
Milford Tel. Co.	Milford			250 00	140 00	4 00	134 00		10	1	62 00
Millsville & Rogers Hill Tel. Co.	Roger's Hill Centre	500 00		550 00	5 00				15		
Mineville Tel. Co.	Mineville			841 00	45 00	6 00	45 00		7	1	45 00
Mount Pleasant Tel. Co.	Weatherly			200 00	19 00	5 00			2		
Montievesta Tel. Co.	Halifax										
Murchyville Tel. Co.	Murchyville			960 00	50 00		50 00		17		
Musquodoboit Har. Tel. Co.	Musquodoboit Harb										
New Albany Tel. Co.	New Albany	700 00		650 00	212 50		160 00		15	3	40 00
New Cornwall Tel. Col.	Middle Cornwall	1,121 00		1,411 00	36 82	5 25	37 25		13	1	5 75
New Ross Tel. Co.	New Ross	5,250 00		5,250 00	1,429 37		1,380 25		46	4	961 62
New Tusket Tel. Co.	New Tusket	1,000 00		1,000 00	260 00		170 00		21		
New Victoria Tel. Co.	Hartford	4,000 00		4,000 00	500 00		500 00		49	1	10 00
Nine Mile River Tel. Co.	Upper Rawdon			2,911 00					38		
North Shore Tel. Co.	Arisaig			800 00	20 00		20 00		21		
North Wallace Tel. Co.	Fox Harbour			390 00	10 00	4 50	10 00		14	1	5 00
Ohio Tel. Co.	Lower Ohio	600 00		600 00	43 70	5 70	37 50		10	1	6 80
Ostrea Lake Tel. Co.	Ostrea Lake	350 00		350 00	48 43	25 00	31 54		5		
Pleasant Valley Mutual Tel. Co.	Brookfield	480 00		1,274 01	45 00		45 00		15		
Paradise West Tel. Co.	Bridgetown	325 00		1,101 44	150 00		81 00		20	1	20 00
Pleasant Harbour Rel. Co.	Pleasant Harbour	371 00		441 00	20 00		5 00		7		
Port La Tour Tel. Co.	Baccaro	1,010 00		4,150 00	1,277 61	128 00	923 10		52	2	255 00
Port Lorne Tel. Co.	Port Lorne	200 00		165 00	40 00		30 00		5	1	30 00
Port Medway Tel. Co.	Port Medway			150 00	132 50		132 50		6		
Princeport Tel. Co.	Old Barns	650 00		950 00	40 00	2 00	40 00		17	2	20 00
Pugwash Jnc. Tel. Co.	Pugwash Jnc			400 00	100 00		74 00		12		
Pugwash River Tel. Co.	Pugwash River	550 00		684 50	50 00		50 00		10		
River Dennis Tel. Co.	River Dennis										
Riverside Tel. Co.	Lower Stewiacke	1,300 00		1,635 11	144 40		144 40		26	1	34 00
Roseway River Wel. Co.	Upper Ohio			910 38	76 13		76 13		12		

Royal Centre & Minto Tel. Co	Meadowville										
Round Island Tel. Co	Mira Gut										
Sackville Tel. Co., Ltd	Sackville	540 00		540 00	108 00	42 00	113 98		15	1	27 00
Salem Tel. Co.	Amherst	368 00		368 00	154 57	12 87	162 57		14		
Saltsprings Tel. Co	Salt Springs			1,501 50	5 00		5 00		19		
Sanford & Short Beach Tel. Co	Sanford	500 00		1,100 00	346 00		215 00		19	1	20 00
Springfield Mutual Tel. Co	Vernal			700 00	39 00		39 00		13		
South Alton Tel. Co	South Alton			315 14	48 00		48 00		8		
South River Tel. Co	Upper South River	2,900 00		3,100 00	575 00	175 00	525 00		73	5	525 00
South West Margaree Tel. Co	S. W. Margaree			1,700 00	16 55	1 75			8		
St. Andrews Tel. Co.	Stewiacke			1,787 94	80 64		80 64		32		
St. Anns Tel. Co	Quarry St. Anns			600 00	166 40	44 60	65 00		11		
St. Marys Mutual Tel. Co	Glenelg	1,625 00		2,454 00	344 87		344 87		52	2	183 09
Surrettes Island Tel. Co	Amiranlt	400 00		714 66	189 39	55 99	91 19		9	1	10 63
Toney River Tel. Co	Toney Nills			301 50					15		
Tor Bay Tel. Co	Larrys River			950 00	145 00		35 00		25	2	35 00
Union Tel. Co., Ltd	Blue Mountain	2,160 00		3,310 00	852 91		629 22		62	2	160 00
Upper Sackville Tel. Co	Sackville			300 00	60 00		60 00		14		
Wallace Bay Tel. Line	Wallace Bay	275 00		275 00	10 00		10 00		13		
Wallace River Tel. Co	Hd. of Wallace Bay	370 00		370 00	110 50	4 20	108 00		18		
Wallace Union Tel. Co	Wallace Station			300 00	29 62		29 62		10		
Wedgeport Tel. Co	Wedgeport										
Wentworth Valley Tel. Co	Wentworth Station	275 00		350 00	135 00	40 00	34 00		26	1	10 00
Westchester Tel. Co	Westchester	400 00		550 00	71 71		71 71		16		
West Dover Tel. Co	West Dover			200 00	65 00				1		
Westerly Tel. Co	River John	528 00		528 00	86 00	43 89	40 00		14		
Western Head Tel. Co	Western Head			206 51	127 89		127 89		8	1	10 00
West Middle River Tel. Co	W. Middle River			431 88	36 50		36 50		6		
West New Annan Tel. Co	W. New Annan	620 00		620 00	165 38	48 08	117 30		15	1	10 00
Westport & Digby Tel. Co	Mink Cove	2,000 00		2,000 00	1,400 00	300 00	775 00		110	6	500 00
West River Tel. Co	Salt Springs	690 00		2,146 38	304 35	6 40	125 65		58	1	44 00
West Wentworth Tel. Co	Greenville Station	560 00		1,089 68	75 00		10 00		18		
White Rock Tel. Co	White Rock	303 26		294 26	62 58		62 58		5		
Wittenburg Tel. Co	Wittenburg										
Total		1,929,243 56	1,502,355 00	3,727,335 93	545,025 94	211,139 09	509,601 25	14,437	8,812	808	277,886 35

TABLE 7.—Statement of Wire Equipment—Urban and Rural.

Name of Company	Address.	Urban.					Rural.				
		Galvanized	Copper Wire.				Galvanized.	Copper Wire.			
		Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.	Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.
Nova Scotia.		Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.
Abercrombie Mutual Tel. Co.	Abercrombie						24·00				
Athol Rural Tel. Co.	Athol						19·00				
Antigonish Harbour Tel. Co., Ltd.	Harbour Road						16·00				
Alder Point Tel. Co., Ltd.	Little Bras d'Or						32·00				
Barney's River Tel. Co.	Laggan						25·00				
Bass River Tel. Co.	Bass River						5·00				
Bayfield Road Tel. Co.	Bayfield						2·00				
Bayview Tel. Co	Picton						22·00				
Beacon Hill & Millburn Tel. Co.	Millburn						17·00				
Beaver Bank Tel. Co.	Beaver Bank						21·00				
Beech Hill Tel. Co.	Beech Hill						16·00				
Belleville Rural Tel. Co.	Belleville North						26·00				
Belmont Tel. Co.	Belmont						35·00				
Big Pond Centre Tel. Co.	Big Pond Centre						11·00				
Blandford Tel. Co.	Hubbards						21·00				
Broad Cove Tel. Co.	Broad Cove						8·00				
Brooklyn Tel. Co., Ltd.	Brooklyn										
Brookvale Tel. Co.	Brookvale						8·00				
Bridgetown & Dalhousie West Tel. Co.	Dalhousie West						14·00				
Brule Tel. Co.	Tatamagouche						42·00		2·00		
Caledonia Mills Tel. Co.	Caledonia Mills						21·00				
Caledonia Tel. Co.	Caledonia						36·00				
Canaan Tel. Co.	Canaan										
Cape d'Or Tel. Co.	Cape d'Or										
Carleton Tel. Co., Ltd.	Kemptville						70·00				
Central Cariboo Tel. Co.	Central Cariboo						6·00				
Central New Annan Tel. Co.	Central New Annan						40·00				
Chaswood Tel. Co.	Chaswood						3·50				
Clam Harbour & Owls Head Tel. Co.	Owls Head						20·00				
Coastal Tel. Co.	Bayside						80·00				
Cole Harbour & Woodlawn Tel. Co.	Dartmouth						9·00				
Cow Bay Tel. Co.	Cow Bay						5·50				
Cumberland Tel. Co.	Northport						140·00				
Dean Tel. Co.	Dean						28·50				
Earltown Tel. Co.	Earltown						24·00				

East Bay & Big Pond Tel. Co.	Big Pond														
East Chezzetcook Tel. Co.	E. Chezzetcook									4·75					
Eastern Cole Harbour Tel. Co.	Dartmouth									22·00					
East Ingleside Tel. Co.	E. Ingleside									14·00					
East Leicester Tel. Co.	Oxford									18·00					
East Pictou Tel. Co.	Little Harbour									72·00					
East River Tel. Co.	Springville									117·00	1·00				
East Stewiacke Tel. Co.	Stewiacke									8·50					
East Victory Tel. Co.	Victory									13·00					
East Wallace Tel. Co.	E. Wallace									4·00					
East Wentworth Tel. Co.	E. Wentworth									7·00					
Falls Mutual Tel. Co.	The Falls									39·00	1·00				
Farmers Tel. Co.	Grafton									445·00					
Forks Baddeck Tel. Co.	Baddeck Forks									39·00					
Fox Brook Tel. Co.	Stellarton									11·00					
Fox Harbour Tel. Co.	Fox Harbour Point									16·00					
Gabarous Tel. Co.	Louisburg														
Gammons Point Tel. Co.	Tor Bay									5·00					
Gegoggin Tel. Co.	Gegoggin														
Glengarry Tel. Co.	Hopewell									18·00					
Goffs Oldham Tel. Co.	Goffs									11·00					
Grand Mira Tel. Co.	Grand Mira									142 00					
Greenfield Tel. Co.	Greenfield														
Hammond's Plains Tel. Co.	Bedford									32·00					
Harrison Road Tel. Co.	Macran									8·00					
Harmony Tel. Co.	Harmony									15·00					
Head of Wallace Bay Tel. Co.	Wallace Bay South									7·50					
Heathbell & Plainfield Tel. Co.	Scotsburn Sta.									25·00					
Heatherton Mutual Tel. Co.	Glassburn									50·00					
Hillsburn Tel. Co.	Hillsburn									6·50					
Hillside Tel. Co.	Hillside									28·00					
Indian Point Tel. Co.	Indian Point									6·00					
Isle Madam Tel. Co.	Arichat									15·00	2·00				
Jeddore Tel. Co.	Smith's Settlement									25·00					
Jordan Bay Tel. Co.	Lower Jordan Bay									11·25					
Jordan Tel. Co.	Jordan East									8·00					
Judique Tel. Co.	Judique North									23·00					
Karsdale Tel. Co.	Karsdale									12·00					
Lake La Rose Tel. Co.	Annapolis Royal									16·00					
Lakevale Tel. Co.	Lakevale									30·00					
Lawrencetown Tel. Co.	Lawrencetown									40·00					
Le Blanc Tel. Co.	Salmon River									8·00					
Lewiston Tel. Co.	Lewiston														
Linacy Tel. Co.	New Glasgow									6·50					
Little Narrows Tel. Co.	Little Narrows														
Lorne Mutual Tel. Co.	Hopewell									12·00					
Lovat Mutual Tel. Co.	Saltsprings									10·00					
Lower La Have Tel. Co.	Lower La Have														
Meaford Co-op. Tel. Co.	Meaford									10·00					
Malagash Tel. Co.	North Shore									12·00					

TABLE 7.—Statement of Wire Equipment—Urban and Rural.—*Concluded.*

Name of Company	Address.	Urban.					Rural.				
		Galvanized	Copper Wire.				Galvanized.	Copper Wire.			
		Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.	Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.
Nova Scotia—Con.		Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.
Maitland & Noel Tel. Co.	Noel						62·00				
Maple Leaf Tel. Co.	Merigomish						160·00				
Mapleton Tel. Co.	Leamington						34·00				
Maritime Teleg. & Tel. Co., Ltd.	Halifax	1,503·00	2,105·00	11,787·00	11,383·00	84·00	7,164·00	4,487·00	321·00		33·00
Meadowgreen Tel. Co.	St. Andrews						24·00				
Melbourne Tel. Co.	Arcadia						13·50				
Middle River Tel. Co.	Rocklin						45·00				
Middle River & Hunter's Mtn. Tel. Co.	Hunter's Mountain						22·00				
Middleboro Tel. Co.	Hartford										
Milford Tel. Co.	Milford						15·00				
Millsville & Rogers Hill Tel. Co.	Roger's Hill Centre						20·00				
Mineville Tel. Co.	Mineville						6·50				
Mount Pleasant Tel. Co.	Weatherly						3·50				
Montjevesta Tel. Co.	Halifax										
Murchyville Tel. Co.	Murchyville						9·75				
Musquodoboit Harbour Tel. Co.	Musquodoboit Harbour										
New Albany Tel. Co.	New Albany						15·00				
New Cornwall Tel. Co.	Middle Cornwall						14·50				
New Ross Tel. Co.	New Ross						47·00				
New Tuske Tel. Co.	New Tusket						27·00				
New Victoria Tel. Co.	Hartford						112·00				
Nine Mile River Tel. Co.	Upper Rawdon						76·00				
North Shore Tel. Co.	Arisaig						64·00				
North Wallace Tel. Co.	Fox Harbour						9·00				
Ohio Tel. Co.	Lower Ohio						16·00				
Ostrea Lake Tel. Co.	Ostrea Lake						7·00				
Pleasant Valley Mutual Tel. Co.	Brookfield						13·00				
Paradise West Tel. Co.	Bridgetown						10·00				
Pleasant Harbour Tel. Co.	Pleasant Harbour						15·00				
Port La Tour Tel. Co.	Baccaro						80·00				2·00
Port Lorne Tel. Co.	Port Lorne						8·00				
Port Medway Tel. Co.	Port Medway						5·00				
Princeport Tel. Co.	Old Barns						6·00				
Pugwash Jnc. Tel. Co.	Pugwash Jnc.						7·00				
Pugwash River Tel. Co.	Pugwash River						10·00				

River Dennis Tel. Co.	River Dennis										
Riverside Tel. Co.	Lower Stewiacke						37·50				
Roseway River Tel. Co.	Upper Ohio						22·00				
Royal Centre & Minto Tel. Co.	Meadowville										
Round Island Tel. Co.	Mira Gut										
Sackville Tel. Co., Ltd.	Sackville						6·50				
Salem Tel. Co.	Amherst						24·00				
Salt Springs Tel. Co.	Salt Springs						18·00				
Sanford & Short Beach Tel. Co.	Sanford						20·00				
Springfield Mutual Tel. Co.	Vernal						13 50				
South Alton Tel. Co.	South Alton						12·00				
South River Tel. Co.	Upper South River						53·50				
South West Margaree Tel. Co.	S. W. Margaree						47·00				
St. Andrews Tel. Co.	Stewiacke						37·50				
St. Anns Tel. Co.	Quarry St. Anns						28·00				
St. Marys Mutual Tel. Co.	Glenelg						104·00				
Surrettes Island Tel. Co.	Amirault						15·50				
Toney River Tel. Co.	Toney Mills						10·00				
Tor Bay Tel. Co.	Larrys River						35·00				
Union Tel. Co.	Blue Mountain						61·00				
Upper Sackville Tel. Co.	Sackville						6·00				
Wallace Bay Tel. Line	Wallace Bay						10·00				
Wallace River Tel. Co.	Head of Wallace Bay						18·00				
Wallace Union Tel. Co.	Wallace Station						8·00				
Wedgeport Tel. Co.	Wedgeport										
Wentworth Valley Tel. Co.	Wentworth Station						13·00				
Westchester Tel. Co.	Westchester						12·00				
West Dover Tel. Co.	West Dover						2·50				
Westerly Tel. Co.	River John	3·00					13·00				
Western Head Tel. Co.	Western Head						11·00				
West Middle River Tel. Co.	W. Middle River						15·00				
West New Annan Tel. Co.	W. New Annan						14·00				
Westport & Digby Tel. Co.	Mink Cove						50·00	30·00			2·00
West River Tel. Co.	Salt Springs						49 50				
West Wentworth Tel. Co.	Greenville Station						16 00				
White Rock Tel. Co.	White Rock						8·50				
Wittenburg Tel. Co.											
Total		1,506·00	2,105·00	11,787·00	11,387·00	84·00	11,183·75	4,521·00	323·00		37·00

TABLE 8.—Statement of Capital, Cost, Revenue, Operating Expenses, Number of Employees, etc.

Name of Company.	Address.	Capital Stock.	Funded Debt.	Cost Property and Equipment.	Revenue.	Long Distance Receipts.	Operating Expenses.	Number of Telephones.		Employees and Remuneration.	
								Central.	Magneto	No.	Amount.
New Brunswick.		$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.				$ cts.
Acadia Tel. Co.	Rogersville	4,000 00	3,000 00	5,000 00	400 00	.....	355 00	.....	26	2	355 00
Adamsville Tel. Co. Ltd	Adamsville	3,000 00	..	1,500 00	150 00	50 00	75 00	.....	11	1	25 00
Berry's Mills Tel. Co.	Berry's Mills	677 83	..	1,200 00	231 43	25 20	216 38	.....	16	1	10 00
Blissville & Petersville Tel. Co.	Hoyt	1,800 00	.....	1,800 00	229 00	.....	120 00	.....	29	3	105 00
Canterbury & North Lake Tel. Co.	Fosterville	2,286 66	100 00	2,500 00	596 25	.....	270 25	.....	39	4	280 25
Citizen's Tel. Co., Ltd	St. Stephen	3,512 00	3,050 00	6,562 00	.....	.....	.....	50	.....	.....	.....
Clark Private Line	Lawrence Station	..	..	..	..	.....	.....	.....	.....	.....	.....
Consolidated Tel. Co., Ltd	Bath	12,776 80	..	12,776 80	3,364 31	.....	2,006 15	.....	320	4	1,500 00
Corn Hill Tel. Co.	Corn Hill	..	.....	768 00	..	.....	.....	.....	25	.....	.....
Cambridge Tel. Co., Ltd	Cambridge	1,300 00	....	2,025 00	..	.....	.....	.....	11	.....	.....
Dorn Ridge Tel. Co.	Burtts Corner	..	..	175 00	20 00	.....	.....	.....	13	.....	.....
Farmers Tel. Co., Ltd	Hartland	25,000 00	...	37,899 00	6,728 00	....	3,685 00	.....	501	9	3,325 00
Flume Ridge Tel. Co.	Flume Ridge	400 00	...	400 00	.....	.....	.....	.....	14	.....	.....
Fraser Lumber Co.'s Tel. Line	Plaster Rock	..	..	..	..	.....	.....	.....	.....	.....	.....
Grand Manan Tel. Co., Ltd	Grand Manan	5,450 00	..	7,000 00	1,954 66	592 48	1,245 84	.....	141	3	938 86
Kingston Peninsula Tel. Co	Long Reach	2,992 69	..	4,153 98	578 91	201 05	462 94	.....	44	4	350 00
Morehouse-Blackville Tel. Co., Ltd.	Morehouse	1,500 00	..	1,500 00	500 00	2 25	50 00	.....	21	1	50 00
N.B. Coal & Ry. Tel. Co.	Fredericton	..	..	..	12 38	..	12 38	.....	7	.....	.....
N.B. Tel. Co., Ltd	St. John	1,372,927 00	51,000 00	1,820,866 89	335,625 02	159,740 22	282,606 87	10,364	6,663	469	168,727 44
Norton & Springfield Tel. Co.	Norton	1,250 00	..	1,250 00	30 00	.....	30 00	.....	25	.....	.....
South Branch Tel. Co.	Penobsquis	.....	.....	900 00	24 00	.....	24 09	.....	22	.....	.....
Sherwood Private Line	Hillsboro	680 00	..	680 00	100 36	..	65 13	.....	14	1	50 95
St. Martins Ry. Co. Tel. Line	St. John	.....	.....	.....	194 31	134 31	73 16	.....	5	.....	.....
St. Martins Tel. Co., Ltd	St. John	3,490 00	.....	3,720 29	1,199 34	.....	630 17	.....	8	1	203 00
Sullivan Tel. Line	Bonny River	.....	.....	250 00	5 00	.....	5 00	.....	2	.....	.....
Tracy Tel. Co.	Tracy Station	1,000 00	.....	1,000 00	200 00	10 00	10 00	.....	30	1	10 00
Wellsford & Hamstead Tel. Co.	Wellsford	1,340 00	..	2,674 02	457 85	..	209 85	.....	41	.....	.....
West Isles Tel. Co., Ltd	Lords Cove	3,000 00	4,000 00	4,000 00	2,000 00	800 00	1,800 00	.....	90	4	300 00
Wickham & Springfield Tel. Co.	McDonald's Point	1,050 00	.....	1,503 80	27 11	22 90	19 78	.....	30	2	7 50
York & Carleton Tel. Co.	Debec	7,000 00	.....	6,200 00	1,300 00	200 00	794 00	.....	128	4	500 00
York & Charlotte Tel. Co.	Harvey Station	.....	.....	500 00	65 00	50 00	65 00	.....	85	.....	.....
Total		1,456,432 98	63,150 00	1,928,804 78	356,002 93	161,828 41	294,831 90	10,414	8,361	513	176,738 00

Table 9.—Statement of Miles of Wire Equipment—Urban and Rural.

Name of Company.	Address.	Urban.					Rural.				
		Galvanized	Copper Wire.				Galvanized	Copper Wire.			
		Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.	Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.
New Brunswick.		Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.
Acadia Tel. Co.	Rogersville						42·00				
Adamsville Tel. Co., Ltd	Adamsville						15·00				
Berry's Mills Tel. Co.	Berry's Mills						10·00				
Blissville and Petersville Tel. Co	Hoyt						32·00				
Canterbury and North Lake Tel. Co	Fosterville						66·00				
Citizen's Tel Co., Ltd	St. Stephen			140·00							
Clark Private Line	Lawrence Station										
Consolidated Tel. Co., Ltd	Bath						300·00				
Corn Hill Tel. Co.	Corn Hill						18·00				
Cambridge Tel. Co., Ltd	Cambridge						10·00				0·75
Dorn Ridge Tel. Co.	Burtts Corner						8·00				
Farmers Tel. Co., Ltd	Hartland	100·00	13·00				522·00				
Flume Ridge Tel. Co.	Flume Ridge						12·00				
Fraser Lumber Co.'s Tel. Line	Plaster Rock										
Grand Manan Tel. Co., Ltd	Grand Manan						110·00				
Kingston Peninsula Tel. Co	Long Reach						35·00				
Morehouse-Blackville Tel. Co., Ltd	Morehouse						30·00				
N.B. Coal and Railway Tel. Co.	Fredericton						45·00				
N.B. Tel. Co., Ltd	St. John	6,472·57	648·03	6,174·41	5,734·41	44·80	4,071·02	3,945·68			25·99
Norton & Springfield Tel. Co	Norton						30·00				
South Branch Tel. Co.	Penobsquis						9·00				
Sherwood Private Line	Hillsboro						45·00				
St. Martins Railway Co. Tel. Line	St. John						30·00				
St. Martins Tel. Co., Ltd	St. John	3·00					47·00				
Sullivan Tel. Line	Bonny River						6·00				
Tracy Tel. Co.	Tracy Station						20·00				
Wellsford and Hamstead Tel. Co.	Wellsford						62 00				
West Isles Tel. Co., Ltd	Lords Cove						140·00	5·00			80·00
Wickham and Springfield Tel. Co.	McDonald's Point						20·00				
York and Carleton Tel. Co.	Debec						50 00				
York and Charlotte Tel. Co.	Harvey Station						80 00				
Total		6,575·57	661·03	6,314·41	5,734·41	44·80	5,865·02	3,950·68			106·74

TABLE 10.—Statement of Capital, Cost, Revenue, Operating Expenses, Number of Telephones, Employees, etc.

Name of Company.	Address.	Capital Stock.	Funded Debt.	Cost Property and Equipment.	Revenue.	Long Distance Receipts.	Operating Expenses.	Number of Telephones.		Employees and Remuneration.	
								Central.	Magneto	No.	Amount.
Manitoba.		$ cts	$ cts	$ cts	$ cts	$ cts	$ cts.				$ cts.
Bidford Farmers Line	Deloraine			2,087 50	133 60	50 00	127 50		11		
Brett Tel. Co	Dugald			100 00					4		
Clearwater Tel. Co., Ltd	Clearwater	8,000 00	2,000 00	8,000 00	860 00	223 60	600 00		86	3	600 00
Coombs and Bryson Tel. Co	Deloraine			1,350 00	109 00		77 85		10	1	27 85
Dugald Tel. Co	Dugald			650 00	48 00		48 00		8		
Edie-Morrison Tel. Co	Dugald			270 00	157 70	59 70	157 70		11		
Gowancroft Tel. Co	Pilot Mound			350 00	33 00		33 00		6		
Independent Tel. Co	Dugald	700 00		700 00	107 00		107 00		12	1	10 00
Lake Francis Tel. Co	Woodlands	670 00		1,800 00	688 20		120 00		50	1	120 00
Lonsboro Tel. Co	Pilot Mound	300 00		300 00	54 00		54 00		6		
Lonise Tel. Co	Crystal City	8,900 00		11,000 00	1,872 88	273 00	1,805 89		153	5	1,550 00
Lonise Tel. Co	Snowflake			1,955 00	184 00		184 00		23		
Macdonald Tel. Co., Municipality of	Sanford		45,000 00	14,317 00	7,393 60	980 00	3,287 81		271	4	2,640 00
Manitoba Govt. Telephones	Winnipeg		10,761,025 96	10,761,025 96	1,460,399 22	366,260 61	1,308,397 68	29,410	15,774	1,199	748,260 17
Mariapolis Tel. Co	Mariapolis			1,200 00	150 00		134 94		16		
Miniota Tel. Co., Municipality of	Miniota		66,000 00	70,000 00	19,836 71	2,259 20	8,358 95		387	7	4,281 40
Mountainside Tel. Co	Deloraine			1,800 00	124 00		124 00		20		
Municipal Tel. Co	Oakbank			250 00	84 00	82 35	84 00		14		
Oak Bank Tel. Co	Dugald			400 00	200 00		15 25		13		
Percy Tel. Co	Dugald			390 00	13 00		13 00		14	1	13 00
Pipestone Tel. Co. Municipal	Reston		65,000 00	68,167 65	8,575 49	47 05	5,941 20		385	2	1,900 00
Plympton Tel. Co	Plympton			1,200 00	286 75	122 65	278 44		24	1	23 00
Prairie Grove Tel. Co	Meadow Vale			500 00	260 00	60 00	260 00		10		
Robertson Tel. Co	Boissevain			75 00	25 00		25 00		2		
Rosewood and St. Anns Tel. Co	St. Anns	400 00		325 00	20 00		20 00		20		
Snyder Tel. Co	Portage la Prairie										
South Transcona Tel. Co	Transcona	400 00		400 00	128 00		128 00		6		
Steinbach Tel. Co	Steinbach	300 00		300 00	500 00		125 00		162	2	300 00
Strathcona Tel. Co Municipal	Belmont		39,000 00	39,000 00	4,542 41	936 15	3,313 05		240	4	2,101 00
St. Rose du Lac Tel. Co.	St. Rose du Lac			450 00	13 50		13 50		18		
Suthwyn Tel. Co	Winnipeg	132 29		334 29	39 00		39 00		7	1	
Thirlstane Tel. Co	Deloraine			450 00	72 00		72 00		9		
Union Farmers Tel. Line	Neepawa	900 00		892 00	106 50		104 30		9		
Wallace Tel. Co. Municipal	Virden		70,000 00	58,832 00	12,890 00		12,332 00		351	3	2,040 00
Wilson Tel. Co	Dugald			70 00	18 90		18 90		3		
Winkler Tel. Co	Winkler	1,425 00		1,400 00	55 00		55 00		17		
Wood Bay Tel. Co	Wood Bay	1,050 00		1,300 00	125 00		124 00		13	1	9 90
Woodworth (Man.) Tel. Co	Kenton		55,000 00	56,173 44	10,462 62	1,534 15	7,104 50		328	3	3,231 00
Total		23,177 29	11,103,025 96	11,137,814 84	1,530,568 08	372,878 46	1,353,984 46	29,410	18,493	1,239	767,107 32

Table 11.—Statement of Miles of Wire Equipment—Urban and Rural.

Name of Company.	Address.	Urban.					Rural.				
		Galvanized.	Copper Wire.				Galvanized.	Copper Wire.			
		Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.	Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.
Manitoba.		Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.
Bidford Farmers' Line	Deloraine						20·00				
Brett Tel. Co	Dugald						1·25				
Clearwater Tel. Co., Ltd	Clearwater						75·00				
Coombs & Bryson Tel. Co	Deloraine						18·50				
Dugald Tel. Co	Dugald						8·00				
Edie-Morrison Tel. Co	Dugald						8·00				
Gowancroft Tel. Co	Pilot Mound						3·00				
Independent Tel. Co	Dugald						12·50				
Lake Francis Tel. Co	Woodlands						50·00				
Lonsboro Tel. Co	Pilot Mound						5·00				
Louise Tel. Co	Crystal City	22·00					104·00		12·00		
Louise Tel. Co	Snowflake						38·00				
Macdonald Tel. Co., Municipality of	Sanford						830·00		1·00		
Manitoba Government Telephones	Winnipeg		462·00	35,739·00	73,326·00		45,747·00	13,172·00			
Mariapolis Tel. Co	Mariapolis						22·00				
Miniota Tel. Co., Municipality of	Miniota			110·00			790·00				
Mountainside Tel. Co	Deloraine						56·00				
Municipal Tel. Co	Oakbank						5·00				
Oak Bank Tel. Co	Dugald						25·00				
Percy Tel. Co	Dugald						2·00				
Pipestone Tel. Co., Municipal	Reston	3·00		23·00			1,067·00				
Plympton Tel. Co	Plympton						23·50				
Prairie Grove Tel. Co	Meadow Vale						5·50				
Robertson Tel. Co	Boissevain						1·00				
Rosewood & St. Ann's Tel. Co	St. Ann's						2·00				
Snyder Tel. Co	Portage la Prairie										
South Transcona Tel. Co	Transcona	3·00					5·50				
Steinbach Tel. Co	Steinbach						2·00				
Stratheona Tel. Co., Municipal	Belmont						200·00	25·00			
St. Rose du Lac Tel. Co	St. Rose du Lac						2·00				
Suthwyn Tel. Co	Winnipeg						7·00				
Thirlstane Tel. Co	Deloraine						14·00				
Union Farmers' Tel. Line	Neepawa						7·00				
Wallace Tel. Co., Municipal	Virden						1,200·00				
Wilson Tel. Co	Dugald						5·00				
Winkler Tel. Co	Winkler						14·00				
Wood Bay Tel. Co	Wood Bay						25·00				
Woodworth Mun. Tel. Co	Kenton						1,042 00				
Total		28·00	462·00	35,872·00	73,326·00		51,442·75	13,197·00	13·00		

TABLE 12.—Statement of Capital, Cost, Revenue, Operating Expenses, Number of Telephones, Employees, etc.

Name of Company.	Address.	Capital Stock.	Funded Debt.	Cost Property and Equipment	Revenue.	Long Distance Receipts.	Operating Expenses.	Number of Telephones.		Employees and Remuneration.	
								Central.	Magneto	No.	Amount.
Alberta.		$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.				$ cts.
Crossfield & Samsontown Tel. Co.	Crossfield	1,432 00	1,650 00	1,516 00	86 00		86 00		18	1	86 00
Government of Alberta Tel. Lines	Edmonton		9,340,199 98	9,015,052 67	656,696 28	391,845 40	587,538 37	10,519	16,316	527	450,312 78
Edmonton, City of, Tel. Dept.	Edmonton		1,916,710 52	1,747,649 31	229,960 23	1,137 52	75,157 41	*7,750		56	58,320 50
Olds Farmers' Indep. Tel. Co.	Olds	5,000 00		1,400 00	109 00		109 00		17		
North Western Tel. Co., Ltd.	Lake Saskatoon	18,200 00		20,000 00	500 00		500 00		60	2	180 00
Ribstone Mutual Tel. Co.	Czar			300 00					16		
Rumworth Mutual Tel. Co.	Acme	1,462 00		1,440 00	150 00		150 00		23	1	15 00
Shandro Tel. Co., Ltd.	Shandro	6,000 00		6,000 00	300 00	258 18	225 00		30	2	225 00
Swalwell Tel. Co., Ltd.	Swalwell	1,950 00		2,707 57	187 86		187 86		20	1	20 00
Western General Electric Co., Ltd.	Red Deer	91,200 00		24,854 90	8,250 78	2,553 54	9,465 37		257	7	3,447 50
Total		125,244 00	11,258,560 40	10,820,920 45	896,240 15	395,794 64	683,437 01	18,269	16,757	597	512,636 78

*Automatic.

TABLE 13.—Statement of Miles of Wire Equipment—Urban and Rural.

Name of Company.	Address.	Urban.					Rural.				
		Galvanized	Copper Wire.				Galvanized.	Rural.			
		Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.	Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.
Alberta.		Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.
Crossfield & Samsontown Tel. Co.	Crossfield						18·50				
Government of Alberta Tel. Lines	Edmonton	2,839·25		25,822·00	23,723·60		32,322·00	12,087.46			
Edmonton City of Tel. Dept.	Edmonton			15,983·00	34,156·00		30·00	284·00			
Olds Farmers Indep. Tel. Co.	Olds						40·00				
North Western Tel. Co., Ltd.	Lake Saskatoon						120·00				
Ribstone	Czar						30·00				
Rumworth Mutual Tel. Co.	Acme						27·00				
Shandro Tel. Co., Ltd.	Shandro						30·00				
Swalwell	Swalwell						24·50				
Western General Electric Co., Ltd.	Red Deer	164·00	12·00	206·00				57·00			
Total		3,003·25	12·00	42,011·00	57,879·60		32,642·00	12,428.46			

TABLE 14.—Statement of Capital, Cost, Revenue, Operating Expenses, Number of Telephones, Employees, etc.

Name of Company.	Address.	Capital Stock.	Funded Debt.	Cost Property and Equipment	Revenue.	Long Distance Receipts.	Operating Expenses.	Number of Telephones.		Employees and Remuneration.	
								Central.	Magneto.	No.	Amount.
British Columbia.		$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.				$ cts.
British Columbia Tel. Co., Ltd.	Vancouver	2,500,000 00	2,133,333 33	5,991,895 20	1,203,346 08	150,846 25	994,767 47	36,246	3,552	817	603,657 08
Chilliwack Tel. Co.	Chilliwack	45,630 50		56,140 23	14,381 32	927 46	7,135 21		679	9	5,140 75
Creston, Power, Light & Tel. Co., Co.	Creston	8,218 93		9,268 09	1,210 80		1,114 96		74	4	888 00
Delta Tel. Co.	Ladner	10,400 00		14,346 17	3,805 00		2,200 00		183	2	1,250 00
Edgewood Tel. Co.	Edgewood	1,200 00		1,200 00	351 00		305 44		14	1	57 00
Fort George & Alberta Tel. Co.	Prince George	40,900 00		48,327 31	8,109 28		7,718 82		150	6	5,606 61
Kootenay Tel. Lines, Ltd.	Cranbrook	126,580 00	39,750 00	169,602 23	21,482 62	11,932 66	24,595 87		1,250	17	14,757 04
Mission City Tel. Co.	Mission City	11,780 00		20,680 00	3,525 53	138 30	3,047 81		195	5	1,632 30
Okanagan Tel. Co., Ltd.	New Westminster	400,550 00		392,904 78	45,491 42	9,792 77	29,884 52		1,418	32	17,976 64
Prince Rupert Mun. Tel. System	Prince Rupert	40,000 00	40,000 00	40,000 00	25,902 00		18,687 00	778		11	11,800 00
Quesnel Tel. Co.	Quesnel	10,505 00		11,661 46	1,007 65	11 80	836 50		44	2	660 00
Revelstoke Trout Lake & Big Bend Tel. Co.	Revelstoke	50,887 42		42,913 52	8,871 45	5 65	2,499 98		304	6	2,636 56
Sorrento Tel. Co.	Notch Hill			900 00	96 00		25 00		9		
Ucluelet Tel. Co.	Ucluelet	1,085 00		1,351 55	153 80		117 12		26	1	104 17
Total		3,247,686 85	2,513,083 33	6,801,190 54	1,337,733 95	173,654 89	1,092,935 70	37,024	7,898	913	666,166 15
Yukon.											
Yukon Tel. Syndicate	Dawson	65,000 00		170,179 78	36,060 35		19,157 92		355	7	13,009 51

Table 15.—Statement of Miles of Wire Equipment—Urban and Rural.

Name of Company.	Address.	Urban.					Rural.				
		Galvanized	Copper Wire.				Galvanized.	Copper Wire.			
		Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.	Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.
British Columbia.		Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.
British Columbia Tel. Co., Ltd	Vancouver	7,040·00	2,652·00	72,732·00	42,999·00	.....	2,310·00	4,269·00	604·00	.....	864·00
Chilliwack Tel. Co.	Chilliwack	135·00	.....	289·00	11·00	.....	612·00	.....	.....	14·00	.....
Creston Power, Light & Tel. Co., Ltd.	Creston	200·00	.....	.....	2·50	1·00	.....	.....	.....	.....	.....
Delta Tel. Co.	Ladner	5·00	2·00	.....	0·50	.....	188·00	.....	.....	.....	.....
Edgewood Tel. Co.	Edgewood	.....	.....	.....	.....	.....	18·00	.....	.....	.....	.....
Fort George & Alberta Tel. Co.	Prince George	200·00	14·00	.....	.....	.....	100·00	.....	.....	.....	.....
Kootenay Tel. Lines Ltd.	Cranbrook	655·00	204·00	352·00	.....	.....	490·00	.....	.....	.....	.....
Misson City Tel. Co.	Mission City	.....	.....	.....	.....	.....	265·00	.....	.....	.....	.....
Okanagan Tel. Co., Ltd.	New Westminster	757 50	19·00	5,737·00	.....	.....	333 25	510·00	.....	.....	6·25
Prince Rupert Mun. Tel. System	Prince Rupert	120·00	62·00	514·00	.....	.....	.....	.....	.....	.....	.....
Quesnel Tel. Co.	Quesnel	15·00	.....	.....	.....	.....	30·00	.....	.....	.....	.....
Revelstoke Trout Lake & Big Bend Tel. Co.	Revelstoke	.....	.....	.....	.....	.....	291·00	.....	136·00	129·00	.....
Sorrento Tel. Co.	Notch Hill	.....	.....	.....	.....	.....	5 50	.....	.....	.....	.....
Ucluelet Tel. Co.	Ucluelet	.....	.....	.....	.....	.....	22·00	.....	.....	.....	.....
Total		9,137·50	2,953·00	79,624·00	43,013·00	1·00	4,664·75	4,779·00	740·00	143·00	870·25
Yukon.											
Yukon Tel. Syndicate	Dawson	190 50	...	41·60	.....	...	319·00	48·00	.....	.....	.....

TABLE 16.—Statement of Capital, Cost, Revenue, Operating Expenses, Number of Telephones, Employees, etc.

Name of Company.	Address.	Capital Stock.	Funded Debt.	Cost Property and Equipment	Revenue.	Long Distance Receipts.	Operating Expenses.	Number of Telephones.		Employees and Remuneration.	
								Central.	Magneto	No.	Amount.
Prince Edward Island.		$ cts.	$ cts.	$ cts	$ cts.	$ cts	$ cts.				$ cts.
Argyle Rural Tel. Co.	Strathgartney	500 00		1,200 00	5 00		5 00		22		
Augustine Cove & Tyron Tel. Co.	Cape Traverse	473 88		1,127 14	194 50	47 30	273 30		30	2	22 50
Bangor Tel. Co.	Bangor	500 00		500 00	3 00		3 00		12	1	3 00
Belmont Tel. Co.	Belmont	1,500 00		1,500 00	17 50		14 79		38	1	13 50
Bear River & St. Margaret's Tel. Co	St. Margaret's.			1,037 14	170 00		170 00		12		
Cherry Hill & Hillsboro Head Tel. Co.	Cherry Hill			430 00					11		
Cascumpec Tel. Co.	Cascumpec	841 00		820 00	13 00		10 61		19	2	1 50
Cavendish Tel. Co.	Bay View	390 00		890 00					16		
Darnly Tel. Co.	Darnly			775 00	71 00	6 00	65 00		20	1	60 00
Ellerslie-Conway Tel. Co.	Bideford	2,000 00	1,000 00	1,587 00	51 24		44 18		40	2	44 18
Glenfinnan Tel. Co.	Glenfinnan										
Grand River Tel. Co	Grand River			1,000 00					31		
Greenwich & Cable Head Tel. Co.	Cable Head West			487 30					8		
Hamilton Tel. Co.	Hamilton	300 00		770 00	100 00		100 00		22	2	105 00
Head of Hillsboro Tel. Co.	Cherry Hill										
Kingston & Clyde River R. Tel. Co	Kingston			730 00	4 25		4 25		25		
Linkletter Tel. Co.	Linkletter			275 00	80 00		80 00		8		
Lot 7 Co-op. Tel. Co.	Cape Wolfe			1,250 00					35		
Lower Tryon Tel. Co.	Victoria	426 43		426 43	105 00	31 35	105 00		14		
Malpeque Tel. Co.	Malpeque			750 00	45 00	12 00	45 00		16	1	45 00
Marie Midgell & Milburn Tel. Co.	Milburn			730 00					19		
Mt. Carmel & Egmont Bay Tel. Co.	Wellington	1,568 00		1,568 00	10 00		10 00		32	1	10 00
Muddy Creek Tel. Co.	Muddy Creek	438 00		438 00	58 00		58 00		6		
Newport-Launching Tel. Co.	St. Georges			1,500 00	75 00		75 00		8		
Northam, Port Hill & Arlington Tel. Co	Northam	1,000 00		1,145 00			32 00				
North Shore Tel. Co.	St. Peter's	625 00		625 00					11		
O'Leary Bay & W. Point Tel. Co.	Coleman			2,057 45	13 75		13 75		34	1	13 75
Prince Edward Island Tel. Co., Ltd.	Charlottetown	100,000 00	50,000 00	227,720 00	58,623 88	21,733 77	49,194 21	1,313	476	75	22,112 95
Savage Harbour Tel. Co.	French Village	650 00		650 00					22		
St. Margarets Connecting Line	St. Margarets										
Sturgeon Tel. Co.	Sturgeon			200 00	25 00		25 00		3		
West River Tel. Co.	Canoe Cove	1,150 00		1,144 00	5 85		4 25		9		
York Point Tel. Co.	York Point			1,650 00					40		
Total		112,362 31	51,000 00	254,982 46	59,670 97	21,830 42	50,332 34	1,313	1,038	89	22,430 88

Table 17.—Statement of Miles of Wire Equipment—Urban and Rural.

Name of Company.	Address.	Urban.					Rural.				
		Galvanized	Copper Wire.				Galvanized	Copper Wire.			
		Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.	Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.
Prince Edward Island.		Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.
Argyle Rural Tel. Co	Strathgartney						12·50				
Augustine Cove and Tyron Tel. Co	Cape Traverse						25·00				
Bangor Tel. Co	Bangor						7·00				
Belmont Tel. Co	Belmont						32·00				
Bear River & St. Margaret's Tel. Co	St. Margarets						31·00				
Cherry Hill and Hillsboro Head Tel. Co	Cherry Hill						18·00				
Cascumpec Tel. Co	Cascumpec						19·00				
Cavendish Tel. Co	Bay View						8·50				
Darnly Tel. Co	Darnly						7·00				
Ellerslie-Conway Tel. Co	Bideford						49 00				
Glenfinnan Tel. Co	Glenfinnan										
Grand River Tel. Co	Grand River						28·00				
Greenwich and Cable Head Tel. Co	Cable Head West						17·00				
Hamilton Tel. Co	Hamilton						8·50				
Head of Hillsboro Tel. Co	Cherry Hill										
Kingston and Clyde River R. Tel. Co	Kingston						24·00				
Linkletter Tel. Co	Linkletter						8·50				
Lot 7 Co-op. Tel. Co	Cape Wolfe						25·75				
Lower Tryon Tel. Co	Victoria						8·00				
Malpeque Tel. Co	Malpeque						10·25				
Marie Midgell and Milburn Tel. Co	Milburn						21·00				
Mt. Carmel and Egmont Bay Tel. Co	Wellington						50·00				
Muddy Creek Tel. Co	Muddy Creek						12·50				
Newport-Launching Tel. Co	St. Georges						9·00				
Northam, Port Hill and Arlington Tel. Co	Northam						20·00				
North Shore Tel. Co	St. Peters						8·00				
O'Leary Brae and W. Point Tel. Co	Coleman						32·00				
Prince Edward Island Tel. Co., Ltd	Charlottetown	80·00	104·70	1,119·44			840·70	943·00			
Savage Harbour Tel. Co	French Village						20·00				
St. Margarets Connecting Line	St. Margarets										
Sturgeon Tel. Co	Sturgeon						4·00				
West River Tel. Co	Canoe Cove						22·00				
York Point Tel. Co	York Point						36·00				
Total		80·00	104·70	1,119·44			1,414·20	943·00			

Table 18.—Income Account for year ended June 30, 1916.

Name of Telephone Company.	Gross Revenue.	Operating Expenses.	Net Operating Revenue.	Additions.				Total.	Gross Corporate Income.
				Outside Operations.	Rents.	From Securities Held.	Other Income.		
Quebec.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
Beauce Tel. Co., Ltd	13,697 96	11,291 93	2,406 03				9,047 20	9,047 20	11,453 23
Bell Tel. Co., Ltd	9,803,954 00	5,243,400 00	4,560,554 00			24,436,00	147,841 00	172,277 00	4,732,831 00
Bonaventure and Gaspe Tel. Co., Ltd	10,786 74	6,971 40	3,851 34						3,815 34
Eastern Townships Tel. Co	41,557 51	34,984 31	6,573 20						6,573 20
Farmers Tel. Co., Ltd									
Kamouraska Tel. Co., Ltd	23,955 43	15,326 67	8,628 76						8,628 76
Megantic Peoples Tel. Co., Ltd	8,234 40	4,503 67	3,730 73				263 50	263 50	3,994 23
National Tel. Co	32,826 06	48,655 55	−15,829 49		569 00			569 00	−15,260 49
Saguenay-Quebec Tel. Co	20,477 08	10,559 60	9,917 48		815 90		49 65	865 55	10,783 03
St. Maurice And Champlain Tel. Co									
British Columbia.									
British Columbia Tel. Co., Ltd	1,354,192 33	954,767 47	399,424 86						399,424 86
Chilliwack Tel. Co., Ltd	14,095 65	5,014 10	9,081 55				1,213 13	1,213 13	10,294 68
Fort George and Alberta Tel. Co., Ltd	8,109 28	7,718 82	390 46						390 46
Kootenay Tel. Lines Ltd	32,228 80	23,573 52	8,656 28				1,186 48	1,186 48	9,842 76
Okanagan Tel. Co	55,284 19	8,554 32	36,729 87						36,729 87
Nova Scotia.									
Maritime Telegraph & Tel. Co., Ltd	682,944 21	317,143 15	365,801 06				40,472 07	40,472 07	406,273 13
New Brunswick.									
New Brunswick Tel. Co., Ltd	480,680 54	266,743 82	213,936 72		7,367 55		7,317 15	14,684 70	228,621 42
Prince Edward Island.									
Prince Edward Island Tel. Co., Ltd	58,623 88	48,848 48	9,755 40				2,974 08	2,974 08	12,749 48
Alberta.									
City of Edmonton Tel. Dept	231,097 75	75,175 41	155,922 34						155,922 34
Western General Electric Co., Ltd	10,804 32	9,396 00	1,408 32						1,408 32

Ontario.									
Ahmic Tel. Co., Ltd	810 82	533 98	276 84						276 84
Bethesda and Stouffville Tel. Co., Ltd	10,645 31	4,917 61	5,727 70				490 48	490 48	6,218 18
Blenheim and South Kent Tel. Co., Ltd	8,268 48	4,420 89	3,847 59						3,847 59
Dunnville Consolidated Tel. Co., Ltd	17,458 50	11,103 91	6,354 59				3,767 50	3,767 50	10,122 09
Erie Tel. Co., Ltd	16,755 20	9,462 91	7,292 29						7,292 29
Floss Tel. Co	1,904 56	1,293 24	611 32				3,872 23	3,872 23	4,483 55
Fort William Tel. System	60,100 36	30,443 11	29,657 25						29,657 25
Goderich Tel. Co., Ltd	7,594 79	3,627 07	3,967 72						3,967 72
Ingersoll Tel. Co., Ltd	19,953 07	8,998 84	10,954 23		130 00			130 00	11,084 23
Norfolk County Tel. Co., Ltd	23,671 85	13,138 28	10,533 57						10,533 57
Porcupine Tel. Line Ltd	11,353 50	8,559 35	2,974 15				28 21	8 21	822 36
Temiskaming Tel. Co., Ltd	38,608 13	22,134 21	16,473 92						16,473 92
Manitoba.									
Manitoba Municipal Tel. System	19,836 71	14,011 00	5,825 71						5,825 71
Woodworth Municipal Tel. Co	10,462 62	7,199 19	3,263 43						3,263 43
Total	13,130,974 03	7,242,470 81	5,888,503 22		8,882 45	24,436 00	218,522 68	251,841 13	6,140,344 35

TABLE 18.—Income Account for year

Name of Telephone Company.	Deductions.			
	Taxes.	Interest on Bonds.	Other Deductions.	Total Deductions
	$ cts.	$ cts.	$ cts.	$ cts.
Quebec.				
Beauce Tel. Co., Ltd.	253 85	373 05	183 97	810 87
Bell Tel. Co., Ltd.	309,025 00	557,450 00		866,475 00
Bonaventure and Gaspe Tel. Co., Ltd.		950 00	277 73	1,227 73
Eastern Townships Tel. Co.	678 00	6,522 00	2,762 37	9,962 37
Farmers Tel. Co.				
Kamouraska Tel. Co., Ltd.		4,758 22		4,758 22
Megantic Peoples Tel. Co., Ltd.	690 42	1,139 59	250 07	2,080 08
National Tel. Co.		3,118 10		3,118 10
Saguenay-Quebec Tel. Co.	217 68	10,400 00	3,123 02	13,740 70
St. Maurice and Champlain Tel. Co.				
British Columbia.				
British Columbia Tel. Co., Ltd.		107,446 19	40,000 00	147,446 19
Chilliwack Tel. Co., Ltd	253 57		2,273 24	2,526 81
Fort George and Alberta Tel. Co., Ltd.			2,570 42	2,570 42
Kootenay Tel. Lines, Ltd.	1,023 35	3,011 07		4,034 42
Okanagan Tel. Co.	1,214 86		11,285 29	12,500 15
Nova Scotia.				
Maritime Telegraph and Tel. Co., Ltd.	15,437 44	83,567 45		99,004 89
New Brunswick.				
New Brunswick Tel. Co., Ltd.	15,398 67	4,156 65		19,555 32
Prince Edward Island.				
Prince Edward Island Tel. Co., Ltd.	345 73	2,557 02		2,902 75
Alberta.				
City of Edmonton Tel. Dept.		91,948 33		91,948 33
Western General Electric Co., Ltd.	69 37			69 37
Ontario.				
Ahmic Tel. Co., Ltd.	110 70	178 00		288 70
Bethesda and Stouffville Tel. Co., Ltd.	156 84	953 00	334 05	1,443 89
Blenheim and South Kent Tel. Co., Ltd.	75 04	575 28		650 32
Dunnville Consolidated Tel. Co., Ltd.	160 00	1,512 00	620 48	2,292 48
Erie Tel. Co., Ltd.	230 90	1,097 56	152 56	1,481 02
Floss Tel. Co.		1,710 00		1,710 00
Fort William Tel. System		15,033 43		15,033 43
Goderich Tel. Co., Ltd.	43 46	2,363 72		2,407 18
Ingersoll Tel. Co., Ltd.	339 46	2,100 00	3,377 82	5,817 28
Norfolk County Tel. Co., Ltd.	175 54	750 00		925 54
Porcupine Tel. Line, Ltd.	56 27		64 53	120 80
Temiskaming Tel. Co., Ltd.	865 38	900 00	7,858 64	9,624 02
Manitoba.				
Miniota Municipal Tel. System				
Woodworth Municipal Tel. Co.				
Total	346,821 53	904,570 66	75,134 19	1,326,526 38

SESSIONAL PAPER No. 20d

ended June 30, 1916—*Concluded.*

Net Corporate Income.		Disposition of Net Income.					Balance to Profit and Loss.	
		Dividends.		Sinking Fund.	Reserve.	Total.		
Income.	Loss.	Common Stock.	Preferred Stock.				Cr.	Dr.
$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
10,642 36			1,500 00	7,153 00		8,653 00	1,989 36	
3,866,356 00		1,440,000 00		2,080,000 00		3,520,000 00	346,356 00	
2,587 61							2,587 61	
	3,389 17							3,389 17
3,870 54							3,870 54	
1,914 15			777 75			777 75	1,136 40	
	18,378 59							18,378 59
	2,957 67							2,957 67
251,978 67		120,000 00	60,000 00	20,931 53	50,000 00	250,931 53	1,017 14	
7,767 87		3,650 44		4,000 00		7,650 44	117 43	
	2,179 96							2,179 96
5,808 34				5,750 00	58 34	5,808 34		
24,229 72		7,932 08				7,932 08	16,297 64	
307,268 24		51,000 00	60,000 00		154,237 92	265,237 92	42,030 32	
209,066 10		96,702 30			90,681 67	187,383 97	21,682 13	
9,846 73		6,000 00				6,000 00	3,846 73	
63,974 01				54,506 88	46,709 90	101,216 78		37,242 77
1,338 95				1,337 63	1 32	1,338 95		
	11 86							11 86
4,774 29		2,031 15			1,293 93	3,325 08	1,449 21	
3,197 27		1,505 00			1,692 27	3,197 27		
7,829 61		1,800 00	1,798 00			3,598 00	4,231 61	
5,811 27		15 20			2,392 72	2,407 92	3,403 35	
2,773 55				2,162 23		2,162 23	611 32	
14,623 82				20,109 31		20,109 31		5,485 49
1,560 54		296 25		54 74		350 99	1,209 55	
5,266 95		1,542 00		3,415 01	309 94	5,266 95		
9,608 03		2,598 00			3,500 00	6,098 00	3,510 03	
2,701 56		2,100 00			1,000 00	3,100 00		398 44
6,849 90		4,009 92				4,009 92	2,839 98	
5,825 71				12,083 88		12,083 88		6,258 17
3,263 43				2,000 00		2,000 00	1,263 43	
4,840,735 22	26,917 25	1,741,182 34	124,075 75	2,213,504 21	351,878 01	4,430,640 31	459,479 78	76,302 12

TABLE 19.—Statement by Provinces, of Capital, Cost, Revenue, Operating Expenses, Number of Telephones, Employees, etc.

Province.	Capital Stock.	Funded Debt.	Cost of Property and Equipment.	Revenue.	Long Distance Receipts.	Expenses.	Number of Telephones.		Employees and Remuneration	
							Central.	Magneto	No.	Amount.
	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.				$ cts.
Nova Scotia	1,929,243 56	1,502,355 00	3,727,335 93	545,025 94	211,139 94	509,601 25	14,437	8,812	808	277,886 35
New Brunswick	1,456,432 98	63,150 00	1,928 801 78	356,002 93	161,828 41	294,831 90	10,414	8,361	513	176,738 00
Prince Edward Island	112,362 31	51,000 00	254,982 46	59,670 97	21,830 42	50,332 34	1,313	1,038	89	22,430 88
Quebec	19,453,040 74	11,866,523 36	40,190,775 67	7,743,355 59	2,600,876 17	5,811,941 46	65,686	30,954	3,681	1,780,005 19
Ontario	2,089,924 55	2,012,698 44	5,503,712 77	956,971 17	85,758 19	681,725 92	136,650	112,330	6,626	3,237,714 23
Manitoba	23,177 29	11,103,025 96	11,137,814 84	1,530,568 08	372,878 46	1,353,984 46	29,410	18,493	1,239	767,107 32
Saskatchewan	914,844 00	7,132,961 60	7,984,303 60	1,108,867 60	.....	648,952 90	9,906	20,311	774	399,025 00
Alberta	125,244 00	11,258,560 40	10,820,920 45	896,240 15	395,794 64	683,437 01	18,269	16,757	597	512,636 78
British Columbia	3,247,686 85	2,513,083 33	6,801,490 54	1,337,733 95	173,654 89	1,092,935 70	37,024	7,898	913	666,166 15
Yukon	65,000 00	.....	170,179 78	36,070 35	.....	19,457 92	.....	355	7	13,009 51
Total	29,416,956 28	47,503,358 09	88,520,020 22	14,570,506 73	4,023,761 12	11,147,200 86	323,109	225,312	15,247	7,852,719 41

TABLE 20.—Statement by Provinces of Miles of Wire Equipment—Urban and Rural.

Province.	Urban.					Rural.				
	Galvanized.	Copper Wire.				Galvanized.	Copper Wire.			
	Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.	Single Wire.	Single Wire.	Overhead.	Underground.	Submarine.
	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.
Nova Scotia	1,506·00	2,105·00	11,787·00	11,387·00	84·00	11,183·75	4,521·00	323·00	.....	37·00
New Brunswick	6,575·57	661·03	6,314·41	5,734·41	44·80	5,865·02	3,950·68	.....	.....	106·74
Prince Edward Island	80 00	104·70	1,119·44	.....	.....	1,414·20	943·00	.....	.....	.....
Quebec	4,416·00	372·00	50,631·40	190,220·00	282·50	55,722·05	2,098·00	1,863·25	1·00	9·00
Ontario	3,182·30	11,166·98	130,191·42	277,977·50	536·75	176,989·15	2,479·25	1,074·25	1·75	17·15
Manitoba	28·00	462·00	35,872·00	73,326·00	.....	51,442·75	13,197·00	13·00	.....	.....
Saskatchewan	1,300 00	.....	37,450·00	22,580·00	.....	66,378·00	18,934·75	.....	.....	.....
Alberta	3,003·25	12·00	42,011·00	57,879·60	.....	32,642·00	12,428·46	.....	.....	.....
British Columbia	9,137·50	2,953·00	79,624·00	43,013·00	1·00	4,664·75	4,779·00	740·00	143·00	870·25
Yukon	190·50	.....	41·60	.....	.....	319·00	48·00	.....	.....	.....
Totals	29,419·12	17,836·71	395,042·27	682,117·51	949·05	406,620·67	63,379·14	4,013·50	145·75	1,040·14

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EXPRESS STATISTICS

OF THE

DOMINION OF CANADA

FOR THE

YEAR ENDED JUNE 30

1916

PRINTED BY ORDER OF PARLIAMENT

OTTAWA
PRINTED BY J. DE L. TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY.
1917

[No. 20E—1917.]

To His Excellency the Duke of Devonshire, K.G., G.C.M.G., G.C.V.O., etc., etc., Governor General and Commander in Chief of the Dominion of Canada.

May it Please Your Excellency,—

The undersigned has the honour to present to Your Excellency, Express Statistics for the year ended June 30, 1916.

F. COCHRANE,
Minister of Railways and Canals.

To the Honourable F. COCHRANE,

Minister of Railways and Canals,

SIR,—I have the honour to submit the report of the Comptroller of Statistics in relation to the operations of Express Companies in the Dominion of Canada for the year ended June 30, 1916.

I have the honour to be, sir,

Your obedient servant,

A. W. CAMPBELL,
Deputy Minister of Railways and Canals.

OFFICE OF THE COMPTROLLER OF STATISTICS,
OTTAWA, March 12, 1917.

A. W. CAMPBELL, Esq., C.E.,
Deputy Minister of Railways and Canals.

SIR,—I have the honour to submit herewith Express Statistics for the year ended June 30, 1916.

Reports were received from the following express corporations carrying on operations in Canada:—

The American Express Company.
The British America Express Company.
The Canadian Express Company.
The Canadian Northern Express Company.
The Dominion Express Company.
The Great Northern Express Company.
The National Express Company.
Wells Fargo and Company.

It should be understood, however, that the report of the American Express Company also includes the operations of the National Express Company.

ORGANIZATION.

The following are the facts with respect to the organization of express companies operating in Canada:—

AMERICAN EXPRESS COMPANY.—President, George C. Taylor; First Vice-President, General Francis F. Flagg; Vice-President in charge of Financial Department, Howard K. Brooks; Vice-President in charge of Traffic, Dixon S. Elliott; Secretary, Frederick P. Small; Treasurer, James F. Fargo; Comptroller, Robert Mundle; General Manager of Eastern Lines, Robert E. Cowie; General Manager of Western Lines, J. A. D. Vickers; General Manager of Foreign Department, including Canada, Harry Gee; General Manager of European Department, William S. Dalliba; Manager of Equipment and Supplies, Elisha Flagg; Traffic Manager, Edwin E. Bush; Directors, George C. Taylor, General Francis F. Flagg, Charles M. Pratt, John H. Bradley, Cornelius Vanderbilt, J. Horace Harding, John G. Milburn and James S. Alexander. Headquarters, 65 Broadway, New York.

BRITISH AMERICA EXPRESS COMPANY.—President, T. J. Kennedy; Vice-Presidents, J. F. Taylor, W. C. Franz and Herbert Coppell; Secretary, A. Taylor; Treasurer, R. Barber; Comptroller, I. L. Godfrey; General Manager, T. J. Kennedy; Directors, T. J. Kennedy, J. F. Taylor, H. Coppell, W. C. Franz, W. K. Whigham, T. Gibson and James Hawson. Headquarters, Sault Ste. Marie, Ont.

CANADIAN EXPRESS COMPANY.—Chairman of the Board, E. J. Chamberlin; President, John Pullen; Directors, E. J. Chamberlin, John Pullen, Hugh Paton, Frank Scott, W. H. Biggar, J. E. Dalrymple and H. G. Kelley; Secretary-

Treasurer, Frank Scott; General Solicitor, W. H. Biggar; General Auditor, W. W. Williamson. The Headquarters of the Company are at Montreal.

Canadian Northern Express Company.—President, Sir William Mackenzie; Vice-Presidents, Sir Donald Mann and D. B. Hanna; Directors, Sir William Mackenzie, Sir Donald Mann, R. J. Mackenzie and Z. A. Lash, K.C.; Secretary, R. P. Ormsby; Treasurer, L. W. Mitchell; General Auditor, J. D. Morton; General Superintendent, W. C. Muir; Superintendents, C. A. Cunningham and F. N. Wiggins. Headquarters, Toronto.

Dominion Express Company.—President and General Manager, Walter S. Stout; Vice-President, R. Paton McLea; Directors, W. S. Stout, R. Paton McLea, Rt. Hon. Lord Shaughnessy, K.C.V.O., C. R. Hosmer and R. B. Angus; Secretary, H. C. Oswald; Treasurer, G. A. Newman; General Auditor, W. H. Plant; Superintendent of Eastern Lines, W. Walsh; Superintendent of Western Lines, G. Ford; Manager of Foreign Department, V. G. R. Vickers; Traffic Manager, W. H. Burr. Headquarters, Toronto.

Great Northern Express Company.—President, W. P. Kenney; Vice-President, Ronald Stewart; Directors, L. W. Hill, J. M. Gruber, W. P. Kenney, G. R. Martin and Ronald Stewart; Secretary-Treasurer, L. E. Katzenbach; Comptroller, G. R. Martin; General Manager, Ronald Stewart. Headquarters, St. Paul, Minnesota.

National Express Company.—President, General Francis F. Flagg; Vice-Presidents, George C. Taylor and Dixon S. Elliott; Secretary, Frederick P. Small; Treasurer, James F. Fargo; Directors, George C. Taylor, General Francis F. Flagg, James F. Fargo, Emery H. Smith and Dixon S. Elliott. The administrative officers are the administrative officers of the American Express Company, and the headquarters are at 65 Broadway, New York.

Wells Fargo and Company.—President, B. D. Caldwell; Vice-Presidents A. Christeson and E. A. Stedman; Directors, B. D. Caldwell, F. D. Underwood, C. A. Peabody, H. W. de Forest, R. Delafield, J. H. Schiff, W. V. S. Thorne, W. A. Harriman, L. F. Loree, H. E. Huntingdon, E. A. Stedman, A. Christeson and W. F. Herrin; Vice-President in charge of Traffic, F. S. Holbrook; Comptroller, J. W. Newlean; Secretary, C. H. Gardiner; Treasurer, B. H. River; General Managers, A. Christeson and E. A. Stedman; Traffic Manager, G. S. Lee; Headquarters, Chicago.

OPERATING MILEAGE.

In Canada, 41,582·84; foreign, 17,222·52.

Following was the division of operating mileage in Canada for 1916 and the five preceding years:—

—	1911.	1912.	1913.	1914.	1915.	1916.
Over steam roads	25,377·90	26,855·30	29,476·62	33,551·13	35,572·73	38,538·91
" electric lines	213·81	278·61	212·61	212·61	254·41	338·70
" steamboat lines	1,792·00	3,161·50	2,743·50	2,770·00	2,706·00	3,055·00
" stage lines	146·00	146·91	122·00	112·00	75·00	59·00
Miscellaneous	55·75	3·25	2·75	2·75	2·75	2·75
	27,585·46	30,445·57	32,557·48	36,648·49	38,610·89	41,994·36

Operating mileage in 1916 and the five years preceding was distributed among the provinces as follows:—

—	1911.	1912.	1913.	1914.	1915.	1916.
New Brunswick	1,119·42	1,378·41	2,103·28	2,086·08	2,043·86	2,015·26
Nova Scotia	1,396·32	1,339·13	1,464·19	1,483·19	1,438·98	1,509·55
Prince Edward Island	298·10	213·10	558·90	483·80	568·80	569·20
Quebec	3,914·64	3,914·69	4,686·68	4,623·28	4,665·93	5,980·87
Ontario	9,938·20	10,245·97	10,333·56	11,080·05	10,519·90	11,135·74
Manitoba	3,339·04	3,608·15	3,598·71	3,936·51	4,161·01	4,321·46
Saskatchewan	3,034·43	3,698·20	4,174·36	5,597·26	5,845·96	5,993·30
Alberta	1,371·08	1,750·04	1,879·50	2,807·00	3,405·80	3,704·40
British Columbia	2,814·02	3,395·68	2,941·10	3,477·10	4,866·43	5,660·36
Yukon	59·48	601·48	692·70	692·70	692·70	692·70
Other	300·72	300·72	124·50	381·52	411·52	411·52
Total	27,585·46	30,445·57	32,557·48	36,648·49	38,610·89	41,994·36

Operating mileage in 1916 and the four preceding years was distributed among the various reporting units as follows:—

—	1912.	1913.	1914.	1915.	1916.
American Express Company	1,290·43	1,175·09	1,127·99	1,290·29	1,224 14
British America Express Company	.. ....	89·00	368·59	414·04	414 38
Canadian Express Company	7,406·31	6,926·51	9,419·51	10,249·13	11,792·91
Canadian Nor hern Express Company	5,255·49	5,762·25	6,343·21	6,589·25	8,208·12
Dominion Express Company	14,604·88	16,765·73	17,168·77	18,421·43	18,412·81
Great Northern Express Company	661·86	672·76	672·76	710·39	596·12
United States Express Company	224·84	224·84	224·84	... .	.....
Wells Fargo and Company	921·60	941·30	941·30	936·36	936·36
National Express Company	80·16	.. ..	.. ....	.....	.....
Undistributed	.. ....	. .....	....	....	411·52
Total	30,445·57	32,557·48	36·266·97	38,610·89	41,994·36

CAPITALIZATION AND COST.

The capital liability of American companies operating in Canada is not taken into account. The stocks attaching to Canadian Companies were returned as follows:—

British America Express Company	$ 100,000
Canadian Express Company	1,742,200
Canadian Northern Express Company	1,000,000
Dominion Express Company	2,000,000
Total	$ 4,842,200

The only liability on account of bonds was in the case of the Dominion Express Company, the amount being $46,500.

The total capitalization of all Canadian companies was $4,888,700. Table 2 will afford information in detail.

As was explained in previous years, the express companies which have their headquarters in Canada are owned and operated by railway corporations. In practically every instance surplus earnings have been used to create a paid-up stock account and for the purchase of equipment. Practically all the real property was paid for out of profits. In every way the express business is an integral part of the business of the owning railway companies, although kept separate as a matter of accounting.

The cost of real property and equipment to June 30, 1916, was returned at $3,389,966.78. This was $122,079.19 in excess of the total for 1915. Following is an analysis of the account for 1916:—

Real estate used in operation		$ 398,874·86
Buildings, etc., used in operation		1,978,042 78
Equipment—		
Horses	$ 210,976 35	
Vehicles	378,225 49	
Other equipment	423,847 30	1,013,049 14
Total		$ 3,389,966 78

Table No. 3 will show the foregoing account in detail.

EARNINGS AND OPERATING EXPENSES.

Gross earnings had a total of $12,860,629.37, as compared with $11,311,-797.20 in 1915. The details, by companies, will be found in table 5.

The various sources of gross revenue in 1916, and three years preceding, are shown in the following statement:—

	1913.	1914.	1915.	1916.
	$ cts	$ cts	$ cts.	$ cts.
Express revenue	12,400,034 52	12,170,710 37	10,902,966 52	12,409,791 22
Miscellaneous	34,286 69	39,050 10	14,652 04	18,854 07
Financial paper	319,215 08	352,440 46	317,780 62	347,852 27
Other earnings	73,942 67	83,751 06	76,398 02	84,131 81
Total	12,827,478 96	12,646,451 99	11,311,797 20	12,860,629 37

It will be seen that the gross revenue from transportation, made up of express revenue and miscellaneous, was $12,419,645.29. It would be desirable to show the operating expenses attaching to that service; but it cannot be done with accuracy. The express companies lay emphasis on the proportion of their profits which come from non-transportation service, and have suggested changes in the form of their annual report; but it has been found impracticable to give effect to their request.

Revenue from other sources than transportation is shown in detail in the following statement:—

—	1912.	1913.	1914.	1915.	1916.
	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
Money orders—domestic	201,534 88	173,260 98	207,605 23	186, 79 59	202,458 35
Money orders—foreign	18,056 02	21,137 18	20,649 71	15,239 20	23,669 52
Travellers' cheques—domestic	2,806 60	23,145 23	190 50	3,429 08	4,515 38
Travellers' cheques—foreign	2,714 92	2,892 04	9,203 27	1,704 18	429 34
C.O.D. cheques	83,791 24	98,779 65	114,791 75	110,828 57	116,779 68
Other earnings	68,138 64	73,942 67	83,751 06	76,398 02	84,131 81
Total	377,042 30	393,157 75	436,191 52	394,178 64	431,984 08

The aggregate of operating expenses in 1916 was $5,794,516.85, as against $5,632,904.16 in 1915.

The total paid by express companies to railway companies for the transportation of express matter, called express privileges, was $6,146,399.47. This was equal to 49·5 per cent of gross earnings from transportation.

After deducting operating expenses and express privileges, which totalled $11,940,916.32, from gross earnings, a net operating revenue of $919,713.05 was had. The final credit balance is disclosed in Income Account.

The following summary is instructive:—

—	Gross Receipts.	Operating Expenses.	Express Privileges.	Net Operating Revenue.
	$ cts.	$ cts.	$ cts.	$ cts.
1911	9,913,018 31	4,151,227 91	4,553,861 43	1,207,928 97
1912	10,994,418 10	4,880,120 00	4,892,242 49	1,222,055 61
1913	12,827,478 96	5,743,544 73	6,324,319 91	759,614 32
1914	12,646,451 99	6,246,632 28	6,016,364 07	383,455 64
1915	11,311,797 20	5,632,904 16	5,610,224 11	68,668 93
1916	12,860,629 37	5,794,516 85	6,146,399 47	919,713 05

The following table shows the rising ratio of operating cost and express privileges in their relationship to gross receipts since 1911:—

—	Operating Expenses.	Express Privileges.	Total.
	Per cent.	Per cent.	Per cent.
1911	41·9	45·9	87·8
1912	44·4	44·5	88·9
1913	44·8	49·4	94·2
1914	49·6	47·0	96·6
1915	49·8	49·6	99·4
1916	45·1	47·8	92·9

Following was the distribution of operating expenses in 1916 and four years preceding:—

——	1912.	1913.	1914.	1915.	1916.
	$ cts	$ cts	$ cts	$ cts	$ cts.
Maintenance	214,489 59	146,268 89	144,881 75	107,617 57	194,726 22
Traffic expenses	94,186 61	160,203 25	182,163 77	90,692 67	73,961 66
Transportation expenses	4,075,515 28	4,918,556 48	5,399,601 67	4,981,846 41	5,041,154 65
General expenses	495,928 52	518,516 11	519,985 09	452,747 51	484,674 32
Total	4,880,120 09	5,743,544 73	6,246,632 28	5,632,904 16	5,794,516 85

Following are the details of operating expenses:—

MAINTENANCE.

——	1912	1913	1914.	1915.	1916.
	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
Superintendence	9,392 13	4,412 79	4,498 08	4,225 30	4,029 51
Buildings, fixtures and grounds	121,287 00	9,658 41	5,015 30	3,747 35	22,589 06
Office equipment	11,836 77	21,222 94	18,973 90	13,744 70	33,560 66
Horses	11,636 62	17,775 45	19,271 59	19,756 91	29,427 58
Vehicles—repairs	45,020 44	61,143 50	75,550 91	48,799 10	60,425 90
Vehicles—renewals	2,880 75	17,307 27	7,174 75	5,595 02	17,384 31
Stable equipment	9,416 48	12,088 20	10,829 54	7,996 29	15,362 67
Transportation equipment	2,516 76	2,336 11	3,525 13	1,522 75	11,356 65
Other Expenses	174 58	8 44	7 32	2,270 09	549 91
Undistributed	328 06	295 83	35 23	.....	.....
Joint facilities Dr	.....	9 95	.....	.....	.....
Total	214,489 59	146,268 89	144,881 75	107,617 57	194,726 25

TRAFFIC EXPENSES.

——	1912.	1913.	1914.	1915.	1916.
	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
Superintendence	51,809 37	60,579 99	48,178 00	41,693 03	37,036 84
Outside agencies	6,948 20	8,255 65	7,733 22	669 04	369 16
Advertising	12,805 80	16,615 26	13,170 01	5,872 66	4,929 83
Traffic associations	6,170 72	4,359 45	10,644 65	5,870 47	5,304 65
Stationery and printing	16,159 89	70,232 67	102,437 80	33,567 74	23,352 14
Other expenses	131 67	12 05	0 09	3,019 73	2,969 04
Undistributed	169 96	148 18	.....	.....	.....
Total	94,186 61	160,203 25	182,163 77	90,692 67	73,961 66

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TRANSPORTATION EXPENSES.

——	1912.	1913.	1914.	1915.	1916.
	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
Superintendence	174,208 91	239,643 37	304,919 72	269,157 68	243,408 86
Office employees	960,871 05	1,243,743 76	1,325,727 46	1,240,119 91	1,176,712 18
Commissions	720,315 68	804,193 85	839,645 00	774,494 84	841,438 71
Wagon employees	458,855 65	565,328 74	622,214 06	594,6.4 81	564,315 01
Office supplies and expenses	111,691 01	151,025 66	190,021 79	153,961 15	143,347 82
Rent of local offices	467,264 18	492,101 92	581,032 60	587,229 86	568,708 94
Stable employees	43,356 78	55,412 35	54,213 51	59,960 97	53,514 85
Stable supplies and expenses	340,959 37	407,762 46	422,041 13	397,774 14	415,343 69
Train employees	454,508 84	529,874 40	571,757 71	545,009 43	564,028 18
Train supplies and expenses	4,179 58	6,532 45	6,463 67	6,094 20	14,371 32
Transfer employees	46,962 88	83,719 22	90,093 82	24,049 84	22,396 75
Transfer expenses	41,378 26	16,727 73	15,292 23	11,072 51	15,224 97
Stationery and printing	113,857 81	165,370 37	178,646 35	132,887 83	143,712 85
Loss and damage—freight	107,297 41	156,631 84	193,547 17	130,070 92	97,497 66
Loss and damage—money	15,976 32	7,252 40	4,237 97	9,763 65	1,248 21
Damage to property	631 98	1,187 56	1,206 09	1,223 25	1,283 20
Injuries to persons	5,752 91	3,557 02	5,909 30	14,183 06	6,021 30
Other expenses	4,052 04	4,634 03	6,207 22	32,909 49	179,454 21
Undistributed	3,414 62	3,425 26	.....	.....	.....
Joint facilities, Dr.	.....	−19,558 91	−13,665 13	2,771 13	− 10,474 06
Total	4,075,505 28	4,918,556 48	5,399,601 67	4,981,846 41	5,041,154 65

GENERAL EXPENSES.

——	1912.	1913.	1914.	1915.	1916
	$ cts	$ cts	$ cts)	$ cts.	$ cts.
Salaries, etc., general officers	66,010 00	63,507 40	68,013 69	78,454 23	67,071 05
Salaries, etc., clerks	204,687 18	284,993 26	306,194 80	225,384 80	214,108 95
Supplies and expenses	57,885 63	39,875 74	24,624 82	25,115 83	26,440 46
Law expenses	9,376 61	3,859 74	7,081 90	4,832 52	3,735 38
Insurance	28,563 18	11,465 93	24,635 02	20,718 49	23,112 82
Pensions	48,085 59	56,412 47	65,104 02	38,348 80	38,060 50
Stationery and printing	21,116 54	21,441 14	7,573 45	6,482 03	7,404 48
Other expenses	19,677 63	36,495 50	16,757 34	53,410 81	104,740 68
Undistributed	526 16	464 93	.....	.....	.....
Total	495,928 52	518,516 11	519,985 09	452,747 51	484,674 32

INCOME ACCOUNT.

The results of the year's operations are brought together in the following statement of facts:—

Gross receipts from operation		$ 12,860,629 37
Express privileges	$ 6,146,399 47	
Operating expenses	5,794,516 85	
		11,940,916 32
Net operating revenue		$ 919,713 05
Net outside operations		14,273 71
Total net revenue		$ 933,986 76
Less taxes		146,294 50
Operating income		$ 787,692 26
Addition—other income		220,242 91
Gross corporate income		$ 1,007,935 17
Deductions		52,524 03
Net corporate income		$ 955,411 14

There were no dividends declared in 1916, nor appropriations made of any sort from net corporate income.

SALARIES AND WAGES.

The salaries and wages bill, as indicated by specific items in operating expenses, was $3,787,660.89, as compared with $3,857,204.90 for the preceding year.

The total for 1916 was equal to 66·57 per cent of operating expenses. The ratio was 68·5 in 1915, and 67·8 in 1914.

The number of employees is not reported.

FINANCIAL PAPER.

The volume of financial paper issued in 1916 was $56,500,850.57. The relationship of this total to the business of preceding years is shown in the following comparative statement:—

Financial Paper	1912. Amount. $ cts.	1913. Amount. $ cts.	1914. Amount. $ cts.	1915. Amount. $ cts.	1916. Amount. $ cts.
Money orders—domestic	45,620,681 99	49,773,324 10	49,670,865 30	42,516,429 46	43,385,566 07
" —foreign	2,698,796 91	3,510,668 14	3,131,907 87	1,460,909 73	1,402,026 83
Travellers' cheques—domestic	1,279,085 66	1,771,904 82	1,666,630 00	1,405,110 00	514,170 00
" —foreign	1,051,621 00	1,416,201 30	1,825,702 27	382,291 71	282,833 74
C. O. D. cheques	5,514,821 50	7,309,889 02	8,001,832 00	7,642,034 89	9,330,731 24
Telegraphic transfers	182,770 07	236,853 43	370,968 55	202,991 38	215,444 12
Letters of credit issued	142,166 30	69,301 96	21,919 27	23,301 25	1,980 00
Other forms	505,179 35	905,550 84	1,197,514 28	656,667 75	1,368,098 57
	56,995,122 78	65,044,193 61	65,897,339 54	54,289,736 17	56,500,850 57

It is obvious that the sale of foreign money orders and travellers' cheques has materially declined since the outbreak of the European war.

NUMBER OF OFFICES.

The number of express offices in Canada increased from 3,614 in 1915 to 3,822 in 1916.

On the other hand, the number of offices at which financial paper might be had declined from 7,179 in 1915 to 6,535 in 1916.

EQUIPMENT.

The value is shown in the following tabular statement, covering three years—

Equipment.	1913.	1914.	1915.	1916.
	Value.	Value.	Value.	Value.
	$ cts.	$ cts.	$ cts.	$ cts.
Automobiles	10,905 63	48,220 54	44,804 87	39,126 68
Car safes, stationery	24,097 21	24,472 21	23,645 21	23,869 68
Double wagons	44,090 83	46,640 04	41,976 21	41,988 81
Four wheel trucks	72,513 25	84,481 60	91,544 52	97,101 03
Horses	203,921 26	222,974 94	210,401 49	221,432 60
Messengers' safes	18,005 51	19,181 46	20,451 22	21,735 17
Messengers' packing trunks	26,301 64	25,591 37	22,598 88	25,041 32
Office furniture, etc	80,125,82	91,440 71	101,415 98	98,762 66
Office safes	115,239 42	120,641 13	122,597 73	122,443 04
Single wagons	149,500 89	160,592 25	167,387 35	174,000 24
Sleighs	61,085 18	68,013 16	66,728 78	67,454 56
Stable equipment	32,539 34	35,079 56	32,972 89	35,068 11
All other equipment	86,785 35	90,635 32	85,524 15	90,547 46

The total value of equipment in 1916 was $1,058,580.89.

TAXATION.

	1912.	1913.	1914.	1915.	1916.
		$ cts.	$ cts.	$ cts.	$ cts.
New Brunswick	1,129 58	946 94	1,247 12	1,301 15	1,114 94
Nova Scotia	440 69	3,135 92	3,506 05	4,822 59	2,796 50
Prince Edward Island	280 20	242 50	677 50	481 48	661 46
Quebec	21,156 53	25,619 04	10,793 40	10,452 00	8,844 57
Ontario	46,755 72	56,693 49	60,770 46	74,782 42	99,861 75
Manitoba	3,377 83	3,377 80	5,483 12	4,334 10	7,289 10
Saskatchewan	2,196 74	1,270 67	27,575 83	9,804 04	10,209 87
Alberta	1,695 19	1,560 43	1,405 84	3,984 55	2,049 22
British Columbia	1,820 00	2,292 20	2,233 36	2,678 74	3,048 57
Yukon		60 51	48 60	48 60	52 72
Foreign	3,671 71	2,488 37	3,460 06	2,752 58	3,321 79
Undistributed	4,964 39	5,349 81	6,560 10		
	87,488 58	103,137 74	124,061 44	123,029 27	147,292 39

I have the honour to be, sir,
Your obedient servant,
J. L. PAYNE,
Comptroller of Statistics.

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TABLE 1.—Summary Statement of Operating Mileage for the year ending June 30th, 1916.

Name of Express Company.	Mileage over Steam Roads.	Mileage over Electric Lines.	Mileage over Steamboat Lines.	Mileage over Stage Lines.	Mileage over Miscellaneous Lines.	Total Mileage.	Mileage covered in Outside Operations.
American*	1,194·39	29·00			0·75	1,224·14	
British America	414·38					414·38	
Canadian	10,765·93	113·00	1,152·00	17·00	2·00	12,049·93	2,630 00
Canadian Northern	8,215·32	36·30				8,251·62	
Dominion	17,020·41	160·40	1,271·00	42·00		18,493·81	14,181·00
Great Northern	594·12		30·00			624·12	
Wells, Fargo & Co	334·36		602·00			936·36	
	38,538·91	338·70	3,055·00	59·00	2·75	41,994·36	16,811·00

* Including the National Express Co.

TABLE 1.—Summary Statement of Operating Mileage for the year ending June 30th, 1916, by provinces.

Name of Express. Company.	New Brunswick.	Nova Scotia.	Prince Edward Island.	Quebec.	Ontario.	Manitoba.
American*				324·51	789·23	110·40
British America					414·38	
Canadian	532·50	639·20	298·10	2,688·51	5,873·00	301·00
Canadian Northern				581·49	1,777·73	1,992·10
Dominion	1,482·76	870·35	271·10	2,386·36	4,037·74	1,681·10
Great Northern						236·86
Wells, Fargo & Co					243·66	
	2,015·26	1,509·55	569·20	5,980·87	11,135·74	4,321·46

* Including the National Express Company.

Name of Company	Saskatchewan.	Alberta.	British Columbia	Yukon.	Foreign.	Total Mileage.
American*						1,224·14
British America						414·38
Canadian	1,046·40	694·20	1,720 00		2,887·02	14,679·93
Canadian Northern	2,186·10	1,154·30	516·40		43·50	8,251·62
Dominion	2,760·80	1,855·90	3,066·70		14,262·00	32,674·81
Great Northern			357·26		30·00	624·12
Wells, Fargo & Co				692·70		936·36
	5,993·30	3,704·40	5,660·36	692·70	17,222·52	58,805·36

* Including National Express Company.

TABLE 2.—Statement Summary of Capital for the year ending June 30, 1916.

Name of Express Company.	Stocks.		Funded Debt.		
	Common Amount Outstanding	Total Amount Outstanding	Amount Outstanding	Total Capital.	Total Cash Realized on Stocks.
	$ cts	$ cts	$ cts	$ cts	$ cts.
British America	100,000 00	100,000 00		100,000 00	
Canadian	1,742,200 00	1,742,200 00		1,742,200 00	902,200 00
Canadian Northern	1,000,000 00	1,000,000 00		1,000,000 00	
Dominion	2,000,000 00	2,000,000 00	46,500 00	2,046,500 00	2,000,000 00
	4,842,200 00	4,842,200 00	46,500 00	4,888,700 00	2,902,200 00

TABLE 3.—Cost of Real Property and Equipment to and including year ending June 30, 1916.

Name of Express Company.	Account.						
	Real Estate used in Operation.	Buildings and Fixtures used in Operation.	Equipment.				Total Cost.
			Horses.	Vehicles.	Other Equipment.	Total Equipment.	
	$ cts.	$ cts	$ cts	$ cts	$ cts	$ cts.	$ cts
American*					335 86	335 86	335 86
British America	260,200 00		57,423 00	69,845 00	60,400 13	187,668 13	447,868 13
Canadian			24,077 20	29,250 06	49,587 77	102,915 03	102,915 03
Canadian Northern	138,674 86	1,977,320 63	128,908 85	278,535 98	310,624 04	718,068 87	2,834,064 36
Dominion		722 15	567 30	594 45	1,393 60	2,555 35	3,277 50
Great Northern					1,505 90	1,505 90	1,505 90
Wells, Fargo & Co	398,874 86	1,978,042 78	210,976 35	378,225 49	423,847 30	1,013,049 14	3,389,966 78

*Including the National Express Company.

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TABLE 4.—Summary Statement of Income Account for the year ending June 30, 1916.

Name of Express Company.	Income Account.				
	Gross Receipts from Operations	Express Privileges — Dr	Operating Revenues.	Operating Expenses.	Net Operating Revenue
	$ cts	$ cts.	$ cts.	$ cts	$ cts.
American*	417,891 45	195,084 72	222,806 73	228,953 64	−6,146 91
British America	17,419 04	6,940 23	10,478 81	2,960 95	7,517 86
Canadian	4,004,375 53	1,990,327 92	2,014,047 61	1,698,507 93	315,539 68
Canadian Northern	1,189,228 06	461,946 83	727,281 23	476,439 34	250,841 89
Dominion	7,136,284 11	3,438,260 99	3,698,023 12	3,341,543 33	356,479 79
Great Northern	78,353 88	46,003 08	32,350 80	37,996 55	−5,645 75
Wells, Fargo & Co.	17,077 30	7,835 70	9,241 60	8,115 14	1,126 46
	12,860,629 37	6,146,399 47	6,714,229 90	5,794,516 88	919,713 02

*Including the National Express Company.

Name of Express Company.	Income Account				
	Net Revenue from Outside Operations	Total Net Revenue	Taxes	Operating Income	Other Income
	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
American*		−6,146 91	8,041 90	−14,188 81	
British America		7,517 86		7,517 86	172 91
Canadian		315,539 68	50,945 50	264,594 18	121,627 94
Canadian Northern		250,841 89	23,748 67	227,093 22	
Dominion	14,273 71	370,753 50	60,942 78	309,810 72	98,442 06
Great Northern		−5,645 75	1,617 76	−7,263 51	
Wells, Fargo & Co		1,126 46	997 89	128 57	
	14,273 71	933,986 73	146,294 50	787,692 23	220,242 91

Name of Express Company.	Income Account			
	Gross Corporate Income	Deduction from Gross Income	Net Corporate Income	Balance for Year
	$ cts.	$ cts	$ cts	$ cts.
American*	−14,188 81		−14,188 81	−14,188 81
British America	7,690 77	9 29	7,681 48	7,681 48
Canadian	386,222 12	9,141 28	377,080 84	377,080 84
Canadian Northern	227,093 22		227,093 22	227,093 22
Dominion	408,252 78	43,373 46	364,879 32	364,879 32
Great Northern	−7,263 51		−7,263 51	−7,263 51
Wells, Fargo & Co	128 57		128 57	128 57
	1,007,935 14	52,524 03	955,411 11	955,411 11

* Including the National Express Company.

TABLE 5.—Summary Statement of Operating Revenues for the year ending June 30, 1916.

Name of Express Company.	Revenue from Transportation.			Revenue from Operation other than Transportation.		
	Express Revenue.	Miscellaneous Transportation.	Total Revenue from Transportation.	Money Orders — Domestic.	Money Orders — Foreign.	Travellers' Cheques — Domestic.
	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
American*	393,078 22	.....	393,078 22	10,131 35	.....	1,049 21
British America	17,419 04	.....	17,419 04	.....	.....	.....
Canadian	3,879,774 69	2,972 90	3,882,747 59	63,554 36	.....	918 62
Canadian Northern	1,155,210 45	.....	1,155,210 45	15,694 69	.....	.....
Dominion	6,871,752 99	15,881 17	6,887,634 16	111,649 57	23,668 52	2,287 67
Great Northern	76,884 42	.....	76,884 42	727 31	1 00	.....
Wells, Fargo & Co.	15,671 41	.....	15,671 41	701 07	.....	259 88
	12,409,791 22	18,854 07	12,428,645 29	202,458 35	23,669 52	4,515 38

Name of Express Company.	Revenue from Operation other than Transportation—*Concluded.*					
	Travellers' Cheques — Foreign	"C.O.D." Checks.	Other Earnings.	Gross Receipts from Operation	Express Privileges — Dr	Total Operating Revenues
	$ cts	$ cts	$ cts.	$ cts	$ cts.	$ cts.
American*	.....	.....	13,632 67	417,891 45	195,084 72	222,806 73
British America	.....	.....	.....	17,419 04	6,940 23	10,478 81
Canadian	.....	32,659 01	24,495 95	4,004,375 53	1,990,327 92	2,014,047 61
Canadian Northern	.....	18,322 92	.....	1,189,228 06	461,946 83	727,281 23
Dominion	429 34	65,074 73	45,540 12	7,136,284 11	3,438,260 99	3,698,023 12
Great Northern	.....	298 16	442 99	78,353 88	46,003 08	32,350 80
Wells, Fargo & Co	.....	424 86	20 08	17,077 30	7,835 70	9,241 60
	429 34	116,779 68	84,131 81	12,860,629 37	6,146,399 47	6,714,229 90

* Including the National Express Company

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TABLE 6.—Summary Statement of Operating Expenses for the year ending June 30, 1916.

Name of Express Company	Maintenance				
	Superintendence	Buildings, Fixtures and Grounds	Office equipment.	Horses	Vehicles Repairs
	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
American*	323 84	1,71. 68	503 45	1,502 34	1,868 48
British America					
Canadian			9,067 69	8,997 50	20,223 33
Canadian Northern	24 50	8 33	512 60	1,670 00	4,452 82
Dominion	3,600 00	20,865 05	23,236 43	17,216 21	33,757 60
Great Northern	75 31		146 19	41 53	163 67
Wells, Fargo & Co	5 86		94 30		
	4,029 51	22,589 06	33,560 66	29,427 58	60,465 90

Name of Express Company	Maintenance				
	Vehicles Renewals	Stable Equipment	Transportation Equipment	Other Expenses	Total Maintenance
	$ cts.	$ cts.	$ cts.	$ cts	$ cts.
American*		39 24		524 91	6,477 94
British America					
Canadian	358 37	5,191 99	45 00		43,883 88
Canadian Northern		1,800 99	12 64	25 00	8,506 88
Dominion	17,025 94	8,268 41	11,295 16		135,264 80
Great Northern		62 04			488 74
Wells, Fargo & Co			3 85		104 01
	17,384 31	15,262 67	11,356 65	549 91	194,726 25

Name of Express Company	Traffic Expenses						
	Superintendence.	Outside Agencies.	Advertising.	Traffic Associations.	Stationery and Printing.	Other Expenses.	Total Traffic.
	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
American*	951 69		643 43		191 08	1 84	1,788 04
British America	320 00				5 44		325 44
Canadian	5,352 70		895 40	2,161 47	2,161 47		10,571 04
Canadian Northern	2,482 26		302 44	874 09	4,542 23	5 51	8,207 53
Dominion	27,621 77	369 16	3,053 75	2,269 09	16,400 05	2,961 69	52,675 51
Great Northern	273 05		10 53		46 39		329 97
Wells, Fargo & Co	34 37		24 28		5 48		64 13
	37,036 84	369 16	4,929 83	5,304 65	23,352 14	2,969 04	73,961 66

* Including the National Express Company.

TABLE 6.—Summary Statement of Operating Expenses for the year ending June 30, 1916—*Continued.*

Name of Express Company.	Transportation Expenses.					
	Superintendence.	Office Employees	Commissions.	Wagon Employees.	Office Supplies and Expenses.	Rent of Local Offices.
	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
American*	7,083 89					
British America		390 50	338 21		3 75	
Canadian	60,390 54	411,725 73	362,709 03	192,280 36	30,335 64	54,820 89
Canadian Northern	21,689 19	99,291 93	90,493 66	68,278 58	6,908 34	15,418 42
Dominion	153,097 04	652,245 68	380,895 11	297,435 09	104,859 03	496,969 63
Great Northern	892 05	11,315 34	4,487 77	6,320 98	1,013 62	1,500 00
Wells, Fargo & Co	256 15	1,343 00	2,601 93		226 84	
	243,408 86	1,176,312 18	841,438 71	564,315 01	143,347 82	568,708 94

Name of Express Company.	Transportation Expenses—*Con.*					
	Stable Employees.	Stable Supplies and Expenses.	Train Employees.	Train Supplies and Expenses.	Transfer Employees	Transfer Expenses.
	$ cts.	$ cts.	$ cts.	$ cts	$ cts.	$ cts.
American*			25,122 60	1,229 10		
British America			170 99			
Canadian	18,701 07	129,208 83	166,917 77			
Canadian Northern	3,024 42	40,362 32	61,243 56	389 34	3,057 74	1,535 50
Dominion	31,789 36	243,134 16	302,762 24	12,752 88	19,329 01	12,318 23
Great Northern		2,638 38	6,183 62			
Wells, Fargo & Co			1,627 40			1,371 24
	53,514 85	415,343 69	564,028 18	14,371 32	22,396 75	15,224 97

Name of Express Company.	Transportation Expenses—*Con.*					
	Stationery and Printing.	Loss and Damage Freight.	Loss and Damage Money.	Damage to Property.	Injuries to Persons.	Other Expenses.
	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
American*	2,948 73	7,933 55		108 42	376 96	160,387 36
British America	282 71	38 84				
Canadian	38,032 46	35,848 59		355 41	472 73	
Canadian Northern	16,441 03	4,488 11		10 75	182 14	45 98
Dominion	84,837 61	48,635 44	1,248 21	808 62	4,974 10	19,020 87
Great Northern	971 84	523 13			14 37	
Wells, Fargo & Co	198 41					
	143,712 85	97,497 66	1,248 21	1,283 20	6,021 30	179,454 21

* Including the National Express Company.

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TABLE 6.—Summary Statement of Operating Expenses for the year ending June 30, 1916—*Continued.*

Name of Express Company.	Transportation Expenses—*Con.*			General Expenses.		
	Operating Joint Facilities. Dr.	Operating Joint Facilities. Cr.	Total Transportation.	Salaries and Expenses General Officers.	Salaries and Expenses Clerks and Attendants.	General Office Supplies and Expenses.
	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
American*			205,190 61	943 01	6,300 83	1,050 45
British America			1,225 00	472 78	690 00	140 68
Canadian			1,501,829 05	21,069 81	62,765 12	15,549 77
Canadian Northern	89 58	10,563 04	422,311 01	7,106 16	22,432 25	1,093 37
Dominion			2,867,112 91	37,301 51	120,818 56	8,485 65
Great Northern			35,861 10	151 52	923 38	113 38
Wells, Fargo & Co			7,624 97	26 26	178 81	7 16
	89 58	10,563 04	5,041,154 65	67,071 05	214,108 95	26,440 46

Name of Express Company.	General Expenses—*Concluded.*					
	Law Expenses.	Insurance.	Pensions.	Stationery and Printing.	Other Expenses.	Total General Expenses.
	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
American*	579 73	4,587 37	1,072 56	147 32	785 78	15,497 05
British America				24 10	82 95	1,410 51
Canadian	800 81	6,081 04	6,000 00	1,361 79	28,595 62	142,223 96
Canadian Northern	24 53	3,999 84		2,100 60	657 17	37,413 92
Dominion	2,309 52	8,347 42	30,980 00	3,693 40	74,554 05	286,490 11
Great Northern		68 25		37 64	22 57	1,316 74
Wells, Fargo & Co	20 79	28 90	7 94	9 63	42 54	322 03
	3,735 38	23,112 82	38,060 50	7,404 48	104,740 68	484,674 32

Name of Express Company.	Recapitulation of Expenses.				
	Maintenance.	Traffic Expenses.	Transportation Expenses.	General Expenses.	Total Operating Expenses.
	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
American*	6,477 94	1,788 04	205,190 61	15,497 05	228,953 64
British America		325 44	1,225 00	1,410 51	2,960 95
Canadian	43,883 88	10,571 04	1,501,829 05	142,223 96	1,698,507 93
Canadian Northern	8,506 85	8,207 53	422,311 01	37,413 92	476,439 31
Dominion	135,264 80	52,675 51	2,867,112 91	286,490 11	3,341,543 33
Great Northern	488 74	329 97	35,861 10	1,316 74	37,996 55
Wells, Fargo & Co	104 01	64 13	7,624 97	322 03	8,115 14
	194,726 22	73,961 66	5,041,154 65	484,674 32	5,794,516 85

* Including the National Express Company.

TABLE 7.—Summary Statement of Taxes and Assessments by Provinces for the year ending June 30, 1916.

Name of Express Company.	PROVINCES.					
	New Brunswick.	Nova Scotia.	Prince Edward Island.	Quebec.	Ontario.	Manitoba.
	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
American*						
British America						
Canadian	501 31	399 46	375 00	5,855 67	38,583 36	618 83
Canadian Northern				225 00	1[illegible],939 01	3,143 68
Dominion	613 63	2,397 04	286 46	2,763 90	43,539 38	3,026 42
Great Northern						500 17
Wells, Fargo & Co.					800 00	
	1,114 94	2,796 50	661 46	8,844 57	99,861 75	7,289 10

Name of Express Company.	PROVINCES—*Concluded.*					
	Saskatchewan.	Alberta.	British Columbia.	Yukon.	Foreign.	Total Amount.
	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
American*						†8,041 90
British America						
Canadian	2,014 46	9 50	402 50		2,185 41	50,945 50
Canadian Northern	3,294 99	7 50			138 49	23,748 67
Dominion	4,900 42	2,032 22	1,283 31			60,942 78
Great Northern			1,117 59			1,617 76
Wells, Fargo & Co			145 17	52 72	997 89	1,995 78
	10,209 87	2,049 22	3,048 57	52 72	3,321 79	147,292 93

* Including the National Express Company. † Not distributed.

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TABLE 8.—Summary Statement of Equipment Owned for the year ending June 30, 1916.

Name of Express Company	Automobiles	Car Safes — Stationary.	Double Wagons	Four Wheeled Trucks.	Horse and other Draft Animals.	Messengers' Safes.	Messengers' Packing Trunks.
	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
American*			1,558 08	1,201 70	6,493 82	342 76	
British America				72 14		95 00	
Canadian	14,067 00	974 00	9,709 00	13,344 00	57,423 00	2,386 00	2,000 00
Canadian Northern	8,377 25		3,100 50	12,251 43	28,068 00	5,341 00	257 45
Dominion	16,682 43	22,895 21	27,571 23	69,857 68	128,908 85	13,504 27	22,783 87
Great Northern				341 62	538 93	36 14	
Wells, Fargo & Co				32 16			
	39,126 68	23,869 21	41,998 81	97,101 03	221,432 60	21,735 17	25,041 32

Name of Express Company.	Office Furniture and Fixtures.	Office Safes.	Single Wagons.	Sleighs.	Stable Equipment.	All other Equipment.	Total Amount.
	$ cts.	$ cts.	$ cts	$ cts.	$ cts.	$ cts.	$ cts.
American*	9,022 81	1,874 85	3,397 41	1,536 40	13 20	993 72	26,434 75
British America		145 38				25 34	335 86
Canadian	21,597 00	11,599 00	33,865 00	12,204 00	7,052 00	1,448 13	187,668 13
Canadian Northern	6,522 53	23,389 61	18,697 48	6,765 14	6,549 24	3,080 13	122,490 06
Dominion	61,329 10	84,064 87	117,497 14	46,927 50	21,401 32	84,675 40	718,068 87
Great Northern	74 60	550 90	543 21	21 52	52 25	324 74	2,464 01
Wells, Fargo & Co	216 62	870 43					1,119 21
	98,762 66	122,443 04	174,000 24	67,454 56	35,068 11	90,547 46	1,058,580 89

*Including the National Express Company.

TABLE 9.—Summary Statement of Financial Paper Issued for the year ending June 30, 1916.

Name of Express Company.	Money Orders Sold.		Travellers' Cheques.		"C.O.D." Checks Issued.	Telegraphic Transfers.
	Domestic.	Foreign	Domestic	Foreign.		
	$ cts	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
American*	17,202,732 94		94,360 00	117,860 00	205,985 24	41,720 21
British America						
Canadian	10,681,526 41			110,763 74	2,035,618 29	26,269 22
Canadian Northern	4,006,311 12				1,543,301 89	
Dominion	26,533,677 03	1,401,065 52	373,210 00	54,210 00	5,445,475 27	144,379 89
Great Northern	141,061 31	55 03			70,399 12	
Wells, Fargo & Co	220,257 26	905 68	46,600 00		29,951 43	3,074 80
	43,385,566 07	1,402,026 83	514,170 00	282,833 74	9,330,751 24	215,444 12

Name of Express Company.	Letters of Credit Issued.	Other Forms of Remittance Paper Issued.	Total.		Number of Express Offices in Canada.	Number of Offices having Money Orders on Sale.
			Number.	Amount.		
	$ cts	$ cts		$ cts		
American*	1,980 00	71,888 81	141,894	1,736,527 20	145	117
British America					15	
Canadian		671,033 14	1,149,698	13,525,210 80	1,293	1,280
Canadian Northern			475,251	6,149,613 01	550	547
Dominion		625,176 62	2,606,351	34,577,194 33	1,773	4,545
Great Northern			14,695	211,516 06	39	39
Wells, Fargo & Co			10,199	300,789 17	7	7
	1,980 00	1,368,098 57	4,398,088	56,500,850 57	3,822	6,535

* Including the National Express Company.

TELEGRAPH STATISTICS

OF THE

DOMINION OF CANADA

FOR THE

YEAR ENDED JUNE 30

1916

PRINTED BY ORDER OF PARLIAMENT

OTTAWA
PRINTED BY J. DE L. TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1917

[No. 20F—1917]

To His Excellency the Duke of Devonshire, K.G., P.C., G.C.M.G., G.C.V.O., etc., etc., Governor General and Commander in Chief of the Dominion of Canada.

MAY IT PLEASE YOUR EXCELLENCY:

The undersigned has the honour to present to Your Excellency the Annual Report of the Comptroller of Statistics in relation to the telegraph interests of the Dominion of Canada for the year ended June 30, 1916.

F. COCHRANE,
Minister of Railways and Canals.

To the Honourable F. COCHRANE,
Minister of Railways and Canals.

SIR,—I have the honour to submit the Report of the Comptroller of Statistics in relation to the telegraph interests of the Dominion of Canada for the year ended June 30, 1916.

I have the honour to be, sir,
Your obedient servant,

A. W. CAMPBELL,
Deputy Minister of Railways and Canals.

OFFICE OF THE COMPTROLLER OF STATISTICS,
OTTAWA, March 5, 1917.

A. W. CAMPBELL, Esq., C.E.,
Deputy Minister of Railways and Canals.

SIR,—I have the honour to submit herewith Telegraph Statistics for the year ended June 30, 1916.

Reports were received from all the organizations within the jurisdiction of the department.

The returns disclose operating results above those of last year. Earnings were the highest of any year since statistics in relation to the telegraph interests of Canada were required.

ORGANIZATION.

Anglo-American Telegraph Company, Limited.—Chairman of the Board, Francis A. Bevan; Directors, Messrs. Francis A. Bevan, Robert H. Benson, and Sir Herbert S. Leon, Bart.; Secretary, William Miles, Winchester House, Old Bond Street, London, England. The company has leased its whole undertaking to the Western Union Telegraph Company, of New York, for 99 years from 1st April, 1911.

Canadian Northern Telegraph Company.—The operating interests of this company have been taken over by the Great North Western Telegraph Company and the results of operation are included in the report of the latter corporation.

Canadian Pacific Railway Company's Telegraph.—President, Right Honourable Lord Shaughnessy, K.C.V.O.; Vice-Presidents, G. Bury, I. G. Ogden, G. M. Bosworth, E. W. Beatty, K.C., and G. Hall; Directors, Right Honourable Lord Shaughnessy, Sir Thomas Skinner, Bart., Sir Edmund B. Osler, K.C., Sir Herbert S. Holt, Colonel Frank S. Meighen, Hon. Robert Mackay, Hon. James Dunsmuir, R. B. Angus, A. M. Nanton, E. W. Beatty, K.C., W. D. Matthews, C. R. Hosmer and G. Bury; Secretary, W. R. Baker, C.V.O.; Treasurer, H. E. Suckling; Comptroller, J. Leslie; General Auditor, F. E. Shrimpton; Manager, J. McMillan.

Dominion Government Telegraph Service.—This service is administered by the Department of Public Works, Ottawa. Mr. D. H. Keeley is the general superintendent. Operations are carried on in those outlying sections of the Dominion which are not served by commercial telegraph organizations.

Grand Trunk Pacific Telegraph Company.—President, E. J. Chamberlin; Vice-Presidents, M. Donaldson and W. H. Ardley; Directors, Messrs. E. J. Chamberlin, W. H. Biggar, W. H. Ardley, M. Donaldson, Howard G. Kelley, and H. Hulatt; Secretary, Henry Phillips; Treasurer, Frank Scott; General Counsel, W. H. Biggar, K.C.; Auditor, W. H. Ardley; Manager, H. Hulatt. Headquarters, Montreal.

Great North Western Telegraph Company.—President, Z. A. Lash; Vice-President, Adam Brown; Directors, Messrs. Adam Brown, James Hedley,

Z. A. Lash, Hon. J. K. Kerr, A. Jarvis, F. B. Hayes, D. B. Hanna, George D. Perry and R. P. Ormsby; Secretary, A. C. McConnell; Treasurer, D. E. Henry; General Manager, George D. Perry.

North American Telegraph Company.—President, C. F. Sise; Vice-President, Hon. Robert Mackay; Directors, Messrs. C. F. Sise, Hon. Robert Mackay, C. F. Sise, jr., Hugh Paton, Charles Cassils, L. B. McFarlane, and W. H. Black; Secretary-Treasurer, J. H. Hoppes, Kingston, Ontario.

Temiskaming and Northern Ontario Railway Commission.—Chairman of the Board, J. L. Englehart; Commissioners, Denis Murphy and George W. Lee; Secretary-Treasurer, W. H. Maund; Accountant, T. J. Gracey; Superintendent, W. J. Kelly. Headquarters, Toronto.

Western Union Telegraph Company.—President, Newcomb Carlton; Vice-Presidents, G. W. E. Atkins, Rush Taggart, J. C. Williver, W. N. Fashbaugh, G. M. Yorke and E. Y. Gallaher; Treasurer, Lewis Dresdner; Secretary, W. H. Baker; General Auditor, H. W. Ladd; General Attorney, A. T. Benedict; Directors, Messrs. Oliver Ames, William Vincent Astor, Henry A. Bishop, Newcomb Carlton, Robert C. Clowry, Henry W. DeForest, Chauncey M. Depew, William Fahnestock, Donald G. Geddes, Geo. J. Gould, Chauncey Keep, Robert S. Lovett, Edwin G. Merrill, Percy A. Rockefeller, Jacob H. Schiff, Mortimer L. Schiff, James Stillman, William H. Truesdale, Joseph J. Slocum, W. K. Vanderbilt, jr., and Albert H. Wiggin; Comptroller, E. Y. Gallaher; General Attorney, A. T. Benedict. Headquarters, 195 Broadway, New York.

Halifax and Bermudas Cable Company, Limited.—President, Sir Thomas Skinner, Bart; Directors, Sir Thomas Skinner, Bart., George Gray Ward, Frederick Ward, Thomas Hewitt-Skinner, and William Morrey Kent; General Manager and Secretary, Joseph Rippon, 33 Old Broad Street, London, England.

Pacific Cable Board.—Chairman, Sir H. Babington Smith, K.C.B., C.S.I.; Board, Sir William H. Mercer, K.C.M.G., (Crown Agent for the Colonies), Sir G. S. Gibb, (Chairman of the Road Board), Hon. Sir George H. Perley, A. Lang, C.M.G., (Representing the Dominion of Canada), Right Hon. Andrew Fisher, P.C., Sir T. A. Coghlan, K.B., I.S.O., (Representing the Commonwealth of Australia) and Hon. Sir T. Mackenzie, K.C.M.G., (Representing the Dominion of New Zealand); Secretary F. J. Adye; Manager in the Pacific, J. Milward, Sydney, Australia.

Marconi Wireless Telegraph Company.—President, Andrew A. Allan; Vice-President, Guglielmo Marconi, D.Sc., LL.D.; Directors, J. N. Greenshields, K.C., Robert Bickerdike, M.P., G. M. Bosworth, and Godfrey C. Isaacs; Secretary-Treasurer, Alex. E. Reoch; General Manager, J. H. Lauer. Headquarters, Montreal.

CAPITALIZATION AND COST.

The situation with respect to both capitalization and cost is somewhat confusing. There are a number of organizations which have neither stocks nor bonds outstanding, and which are unable to report the cost of their telegraph systems. The Canadian Pacific Railway Company's telegraph is a case in point. Primarily, many of the lines were built as a part of the railway system of the Company, and the cost was wrapped up with capital expenditures for purely railway purposes. Many stretches of wire are also used for both train

despatching and the transmission of commercial messages. The case of the Pacific Cable Board illustrates another aspect of the matter. This cable line is owned jointly by the United Kingdom and the several British Dominions concerned, and the cost for the purposes of these statistics is the cost of equipment within the Dominion of Canada. With these explanations the facts given will be understood.

Following is the capitalization of companies having headquarters in Canada:—

——	Stocks.	Bonds.
	$	$
Canadian Northern Telegraph Company	500,000	800,000
Grand Trunk Pacific Telegraph Company	100,000	
Great North Western Telegraph Company	500,000	
Marconi Wireless Telegraph Company	5,000,000	
North American Telegraph Company	200,000	
Total	6,300,000	800,000

The figures of cost relating to Canadian companies were as follows:—

Canadian Pacific Railway Company's Telegraph	$6,696,421
Dominion Government Telegraph Service	2,762,076
Marconi Wireless Telegraph Co	527,466
North American Telegraph Company	56,675
Pacific Cable Board	60,000
Temiskaming and Northern Ontario	75,218
Total	$10,177,856

EARNINGS AND OPERATING EXPENSES.

Gross receipts from operation amounted to $6,255,740.16 in 1916, as compared with $5,536,337.46 in 1915.

It should be explained that the earnings of the Western Union Telegraph Company include an arbitrary assignment of a certain amount for such business as is merely relayed across certain portions of Canada from the cable station at Canso, N.S., to points in the United States.

The sources and amounts of gross revenue, on a comparative basis, for 1916 and the four years preceding, were as follows:—

——	1912.	1913.	1914.	1915.	1916.
	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
Local messages	2,751,490 21	3,187,127 53	2,859,101 22	2,562,563 60	3,023,655 52
Conjoint messages	1,385,586 01	1,409,449 78	1,358,194 12	1,187,638 24	1,258,721 14
Press reports	158,839 88	123,568 89	143,798 85	122,422 04	95,409 16
Market reports	98,437 70	103,710 58	99,638 33	40,723 86	91,737 22
Cablegrams	484,713 68	682,456 78	711,326 89	806,309 23	959,960 85
Money Orders	40,770 61	49,730 08	56,416 96	39,975 56	37,069 06
Leased wires	288,009 44	297,083 40	305,746 19	279,018 76	297,542 73
Miscellaneous	151,339 39	242,085 84	448,981 48	497,686 17	491,644 48
Total	5,359,188 92	6,095,212 90	5,983,204 04	5,536,337 46	6,255,740 16

It will be observed there has been a substantial increase in receipts from cablegrams since 1912, and particularly since the outbreak of the European war.

Operating expenses:—

——	1912.	1913.	1914.	1915.	1916.
	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
Salaries and wages	2,583,887 50	2,884,590 20	2,908,697 07	2,735,956 57	2,823,400 52
Stationery and printing	31,060 14	29,442 65	39,133 22	40,979 18	55,833 98
Line and equipment	372,344 25	402,149 33	674,086 18	762,658 14	689,560 95
Buildings	229,046 58	241,486 31	271,155 67	257,427 28	251,959 86
Legal expenses	2,177 40	3,918 59	2,858 35	743 19	2,016 00
Insurance	3,960 37	2,448 24	5,186 25	7,856 93	8,283 67
Commissions	143,070 03	141,854 06	130,877 51	114,840 14	127,091 66
Taxes	23,665 25	20,539 05	30,971 86	31,257 87	34,470 46
Miscellaneous	138,610 44	308,072 00	179,573 62	177,446 52	211,897 91
Total	3,527,821 96	4,034,480 43	4,242,539 73	4,129,165 82	4,204,515 01

The following statement shows how gross earnings in 1916 and three years preceding were distributed among the various companies:—

——	1913.	1914.	1915.	1916.
	$ cts.	$ cts.	$ cts.	$ cts.
Canadian Northern Telegraph Company	276,739 70	264,615 03	149,785 67	
Canadian Pacific Railway Company	3,286,508 95	2,991,273 06	2,504,241 50	2,748,819 63
Dominion Government Telegraph Service	215,526 11	253,112 57	225,944 27	181,227 04
Grand Trunk Pacific Telegraph Company	72,126 80	81,975 51	75,268 01	100,175 20
Great North Western Telegraph Company	1,244,302 67	1,252,930 14	1,295,774 91	1,828,639 69
Halifax and Bermudas Cable Company	69,710 00	77,465 00	87,930 00	99,975 00
Marconi Wireless Telegraph Company	218,660 00	239,006 70	306,615 47	296,139 82
North American Telegraph Company	22,023 49	23,849 95	19,843 40	18,854 46
Pacific Cable Board	85,166 60	98,558 25	113,657 52	179,381 76
Temiskaming and Northern Ontario Commission	36,297 73	32,165 17	24,912 01	29,460 36
Western Union Telegraph Company	568,150 85	668,252 66	732,364 70	773,067 20
Total	6,095,212 90	5,983,404 04	5,536,337 46	6,255,740 16

Operating expenses in 1916 and the three years preceding were distributed among the reporting units as follows:—

——	1913.	1914.	1915.	1916.
	$ cts.	$ cts.	$ cts.	$ cts.
Canadian Northern Telegraph Company	141,742 68	153,603 95	89,693 28	
Canadian Pacific Railway Company	1,691,953 38	1,613,687 64	1,382,507 16	1,339,161 02
Dominion Government Telegraph Service	491,550 80	623,755 29	632,674 98	661,982 34
Grand Trunk Pacific Telegraph Company	62,236 13	93,870 12	105,405 76	89,920 49
Great North Western Telegraph Company	911,884 98	947,964 56	993,495 52	1,198,700 13
Halifax and Bermuda Cable Company	25,695 00	20,403 00	25,200 00	24,110 00
Marconi Wireless Telegraph Company	218,597 00	231,848 08	285,552 85	226,051 99
North American Telegraph Company	21,084 55	21,607 59	21,640 24	16,760 57
Pacific Cable Board	69,649 69	76,146 92	85,753 07	118,967 44
Temiskaming and Northern Ontario Commission	12,495 34	11,150 00	13,190 72	9,987 20
Western Union Telegraph Company	387,590 88	448,502 58	494,052 24	518,873 83
Total	4,034,480 43	4,242,539 73	4,129,165 82	4,204,515 01

INCOME ACCOUNT.

Following is a summary of table 4 in relation to the Income Account of telegraph organizations:—

Gross revenue	$6,057,127 81	
Operating expenses	3,518,203 64	
Net operating revenue		$2,538,924 17
Additions—		
From outside operations	$ 743 21	
Rents	11,003 44	
From securities held		
Other items	5,638 66	
		17,385 31
Gross corporate income		$2,556,309 48
Deductions—		
Taxes	$ 21,329 03	
Interest on bonds	130,000 00	
Other deductions	122,451 44	
		273,780 47
Net corporate income		$ 2,282,529 01
Disposal of net corporate income—		
Dividends	$ 226,914 00	
Reserves	18,015 20	
		244,9 9 20
Balance		$ 2,037,599 81

EQUIPMENT.

For the first time, reporting units were required in 1916 to submit the facts with respect to physical equipment over and above pole and wire mileage. Table 10 will afford details of this new feature.

Following are the facts with respect to pole and wire mileage, by provinces, for 1916 and the three years preceding.

Province.	Pole Mileage.				Wire Mileage.			
	1913.	1914.	1915.	1916.	1913.	1914.	1915.	1916.
Nova Scotia	2,907·25	2,931·75	2,944·00	2,962·40	9,412·49	10,912·23	11,474·45	11,318·79
New Brunswick	2,251·25	1,910·25	2,000·25	2,269·75	7,297·34	8,444·79	8,690·80	9,488·31
Quebec	7,035·25	6,851·00	6,836·25	284·00	25,242·20	22,296·25	22,579 00	447·89
Ontario	11,166·90	11,258·40	11,164·40	7,630·75	47,682·55	66,245·55	66,183·35	24,096·50
Manitoba	3,808·00	3,908·75	4,210·40	12,161·40	13,697·10	19,377·80	21,884·75	69,166·05
Saskatchewan	5,863·65	6,749·10	6,947·85	4,124·40	19,499·80	26,830·40	27,062·05	20,582·00
Alberta	3,476·05	4,050·50	4,949·20	6,981·60	16,193·05	19,286·70	22,494·75	26,182·30
British Columbia	5,838·14	6,699·64	7,319·31	5,015·20	15,192·46	19,181·72	21,866·25	22,905·50
Yukon	688·00	688·00	586·00	7,111·99	688·00	588·00	586·00	21,654·38
Newfoundland	14·00	14·00	14·00	710·00	14·00	14·00	14·00	710·00
	43,048·49	45,061·39	46,971·66	49,251·49	152,918·99	193,277·44	202,835·40	206,551·72

The wire mileage in 1915 and four preceding years was distributed, by classes, as follows:—

——	1912.	1913.	1914.	1915.	1916.
	Miles.	Miles.	Miles.	Miles.	Miles.
Galvanized	116,974	122,168	126,886	132,343	136,299
Copper—overhead	50,100	29,417	21,606	27,812	27,927
Copper—underground	254	698	737	748	910
Copper—submarine	689	636	653	649	580
Multiple	36,218	39,794	43,395	41,283	40,836

"Multiple" must be understood as applying to wire used for the duplex and quadruplex systems. Each mile of wire is, however, capable of serving the purpose of from two to four miles under ordinary conditions. The count is based on actual mileage of wire.

Physical equipment:—

Cells of gravity battery, main	23,878
" " local	7,878
Cells of storage battery, 20 ampere hours	4,401
" " 160 "	122
Motor generators, generator side:	
8 volts	21
28 "	24
100 to 135 "	25
200 "	43
350 to 400 "	20
Single instruments	7,014
Single repeaters	134
Duplex instruments	174
Quadruplex instruments	81
Circuits of printing telegraphs	17

PUBLIC SERVICE.

Larger earnings are reflected in an increase of land messages, as shown in the following comparative statement:—

1912	9,252,540	1914	11,980,869
1913	11,176,753	1915	9,952,135
		1916	10,835,936

Cablegrams:—

1912	768,559	1914	983,061
1913	877,534	1915	977,389
		1916	1,134,905

EMPLOYEES.

The number of employees increased from 6,243 in 1915 to 6,581 in 1916.

Of the foregoing employees, 4,414 were operators, of whom 3,935 were males and 479 females.

Other officers and employees had a total of 2,167, showing a decline of 66 for the year.

Salaries and wages amounted to $2,898,229.83, as compared with $2,946,-327.14 for 1915.

The aggregate of salaries and wages was equal to 68·94 per cent of operating expenses. The ratio in 1915 was 71·3 and in 1914 it was 75·8.

NUMBER OF OFFICES.

Following are the facts with respect to the number of offices, and their distribution by provinces:—

——	1915.	1916.
Nova Scotia	288	306
New Brunswick	159	156
Prince Edward Island	2	30
Quebec	817	847
Ontario	1,246	1,209
Manitoba	420	242
Saskatchewan	610	545
Alberta	296	316
British Columbia	643	682
Yukon	17	17
In United States	37	37
Total	4,535	4,387

FINANCIAL PAPER.

The volume of financial paper handled was as follows:—

1915	$665,255
1916	559,360

I have the honour to be, sir,
Your obedient servant,

J. L. PAYNE,
Comptroller of Statistics.

Table 1.—Capital Liability, Cost, Gross Revenue, and Operating Expenses.

Name of Company	Address.	Capital Stock.	Funded Debt.	Cost of Real Property and Equipment.	Revenue from Operation.	Operating Expenses.	Net Operating Revenue.	Net Operating Loss.
		$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
Anglo-American Telegraph Co., Ltd.	London, Eng.	34,066,666 66		34,066,666 66				
American Telegraph and Cable Co.	New York	14,000,000 00						
Canadian Pacific Railway Co.	Montreal			6,696,421 40	2,748,819 63	1,339,161 02	1,409,658 61	
Direct United States Cable Co	London, Eng.	5,909,106 66		5,909,106 66				
Dominion Government Telegraphic Service	Ottawa			2,762,076 00	181,227 04	661,982 34		480,755 30
Grand Trunk Pacific Telegraph Co.	Montreal	100,000 00			100,175 20	89,920 49	10,254 71	
Great North Western Telegraph Co. of Canada	Toronto	500,000 00			1,828,639 69	1,198,700 13	629,939 56	
Halifax and Bermudas Cable Co., Ltd.	London, Eng.	250,000 00		757,740 00	99,975 00	24,110 00	63,728 00	
Marconi Wireless Telegraph Co. of Canada Ltd.	Montreal	5,000,000 00		527,466 13	296,139 82	226,051 99	70,087 83	
North American Telegraph Co.	Kingston, Ont.	200,000 00		56,675 13	18,854 46	16,760 57	2,093 89	
Pacific Cable Board	London, Eng.		8,723 168 00	*60,000 00	179,381 76	118,967 44	60,414 32	
Temiskaming and Northern Ontario Railway Commission	Toronto			75,217 53	29,460 36	9,987 20	19,473 16	
Western Union Telegraph Co.	New York	99,817,100 00	32,102,000 00	142,086,709 33	773,067 20	518,873 83	254,193 37	
Totals		159,842,873 32	40,825,168 00	192,998,078 84	6,255,740 16	4,204,515 01	2,519,843 45	480,755 30

* In Canada only.

Table 2.—Gross Revenue and the Sources Thereof.

Name of Company.	Local Messages.	Conjoint Messages.	Press Reports.	Market Reports.	Cablegrams	Money Orders.	Leased Wire.	Miscellaneous.	Total Gross Revenue.
	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
Canadian Pacific Railway Co.	1,806,484 37	415,012 30	18,795 69	5,573 11	207,081 45	12,835 24	262,594 78	20,442 69	2,748,819 63
Dominion Government Telegraph Service		181,227 04							181,227 04
Grand Trunk Pacific Telegraph Co.	91,928 70	6,128 58						2,117 92	100,175 20
Great North Western Telegraph Co. of Canada	767,738 18	624,471 64	63,609 64	85,075 25	156,797 42	16,330 31	31,249 74	83,367 51	1,828,639 69
Halifax and Bermudas Cable Co., Ltd.			2,380 00		88,351 00			9,244 00	99,975 00
Marconi Wireless Telegraph Co. of Canada, Ltd.	†40,795 71				100,046 12			‡155,297 99	296,139 82
North American Telegraph Co.	3,541 96	13,539 15			863 47	144 17	743 21	22 50	18,854 46
Pacific Cable Board					179,381 76				179,381 76
Temiskaming and Northern Ontario Railway Commission	7,292 13	18,342 43	805 00		65 80		2,955 00		29,460 36
Western Union Telegraph Co.	305,874 47		9,818 83	1,088 86	227,373 83	7,759 34		*221,151 87	773,067 20
Totals	3,023,655 52	1,258,721 14	95,409 16	91,737 22	959,960 85	37,069 06	297,542 73	491,644 48	6,255,740 16

* Includes $219,656.20 Cable Expenses at relay stations. † Ship's messages. ‡ Includes subsidies.

Table 3.—Operating Expenses.

Name of Company.	Salaries.	Stationery and Printing.	Maintenance of Line and Equipment.	Maintenance of Buildings, etc.	Legal Expenses.	Insurance.	Commissions.	Taxes.	Miscellaneous.	Operating Expenses.
	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
Canadian Pacific Railway Co.	1,087,687 28	.....	35,521 64	215,952 10	.....	.....	.....	.....	.....	1,339,161 02
Dominion Government Telegraph Service	400,479 86	9,471 02	252,031 46	†	.....	.....	.....	.....	.....	661,982 34
Grand Trunk Pacific Telegraph Co.	23,335 32	3,053 68	48,265 25	.....	.....	.....	11,251 18	977 78	3,037 28	89,920 49
Great North Western Telegraph Co. of Canada	676,667 47	33,950 41	199,721 31	2,280 76	2,013 00	2,448 50	101,157 01	20,441 52	160,020 15	1,198,700 13
Halifax and Bermudas Cable Co., Ltd.	18,358 00	864 00	249 00	.....	.....	80 00	.....	2,705 00	1,854 00	24,110 00
Marconi Wireless Telegraph Co. of Canada, Ltd.	141,664 43	.....	65,323 56	.....	.....	5,498 37	.....	2,530 50	11,035 13	226,051 99
North American Telegraph Co.	3,272 46	55 84	688 76	118 33	3 00	256 80	7,421 79	887 51	4,056 08	16,760 57
Pacific Cable Board	88,057 67	3,607 19	.....	4,652 63	.....	.....	.....	181 33	22,468 62	118,967 44
Temiskaming and Northern Ontario Railway Commission	.....	.....	1,428 57	8,558 63	.....	.....	.....	.....	.....	9,987 20
Western Union Telegraph Co.	383,878 03	4,831 84	86,331 40	20,397 41	.....	.....	7,261 68	6,746 82	9,426 65	518,873 83
Totals	2,823,400 52	55,833 98	689,560 95	251,959 86	2,016 00	8,283 67	127,091 66	34,470 46	211,897 91	4,204,515 01

† Included in Maintenance of Line.

Table 4.—Income Account for the Year ended June 30, 1916.

Name of Company.	Gross Revenue.	Operating Expenses.	Net Operating Revenue.	Additions.					Gross Corporate Income.	
				Outside Operations.	Rents.	From Securities Held.	Other Income.	Total.	Income.	Loss.
	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
Canadian Pacific Railway Co	2,748,819 63	1,339,161 02	1,409,658 61	.....	.....	.....	.....	.....	1,409,658 61	.....
Grand Trunk Pacific Telegraph Co	100,175 20	89,920 49	10,254 71	.....	.....	.....	.....	.....	10,254 71	.....
Great North Western Telegraph Co. of Canada	1,812,020 09	1,178,258 61	633,761 48	.....	10,980 94	.....	5,638 66	16,619 60	650,381 08	.....
Halifax and Bermudas Cable Co., Ltd	99,975 00	24,110 00	75,865 00	.....	.....	.....	.....	.....	75,865 00	.....
Marconi Wireless Telegraph Co. of Canada	296,139 82	226,051 99	70,087 83	.....	.....	.....	.....	.....	70,087 83	.....
North American Telegraph Co	18,088 75	12,873 06	5,215 69	743 21	22 50	.....	.....	765 71	5,981 40	.....
Pacific Cable Board	179,381 76	118,967 44	60,414 32	.....	.....	.....	.....	.....	60,414 32	.....
Temiskaming and Northern Ontario Railway Commission	29,460 36	9,987 20	19,473 16	.....	.....	.....	.....	.....	19,473 16	.....
Western Union Telegraph Co	773,067 20	518,873 83	254,193 37	.....	.....	.....	.....	.....	254,193 37	.....
Totals	6,057,127 81	3,518,203 64	2,538,924 17	743 21	11,003 44	.....	5,638 66	17,385 31	2,556,309 48	.....

TABLE 4.—Income Account (*Concluded*).

Name of Telegraph Company.	Deductions.				Net Corporate Income.		Disposal of Net Corporate Income					Balance to Profit and Loss	
	Taxes.	Interest on Bonds	Other Deductions.	Total Deductions.	Income.	Loss.	Dividends.		Sinking Fund.	Reserve.	Total.	Cr.	Dr.
							Common Stock.	Preferred Stock.					
	$ cts.	$ cts.	$ cts	$ cts	$ cts	$ cts	$ cts	$ cts.	$ cts	$ cts	$ cts	$ cts.	$ cts.
Canadian Pacific Ry. Co.					1,409,658 61							1,409,658 61	
Grand Trunk Pacific Telegraph Co					10,254 71							10,254 71	
Great North Western Telegraph Co. of Canada	20,441 52	*130,000 00	†119,451 41	269,892 96	380,488 12		‡211,914 00			18,015 20	229,929 20	150,558 92	
Halifax and Bermudas Cable Co., Ltd.					75,865 00		15,000 00				15,000 00	60,865 00	
Marconi Wireless Tel. Co. of Canada					70,087 83							70,087 83	
North American Telegraph Co.	887 51		3,000 00	3,887 51	2,093 89							2,093 89	
Pacific Cable Board					60,414 32							60,414 32	
Temiskaming and Northern Ontario Ry. Com					19,473 16							19,473 16	
Western Union Telegraph Co.					254,193 37							254,193 37	
Totals	21,329 03	130,000 00	122,451 44	273,780 47	2,282,529 01		226,914 00			18,015 20	244,929 20	2,037,599 81	

*Bonds of Canadian Northern Telegraph Co. †$107,789 03 proportion of profits of Can. Northern Tel. Co. ‡Rental of leased lines.

Table 5.—Pole Mileage and Wire Mileage by Classes.

Name of Company.	Address.	Pole Mileage.		Wire Mileage.				
		Operated by Company.	Operated by Another Company.	Galvanized.	Copper Wire.			Multiple.
					Overhead.	Underground.	Submarine.	
		Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.
Canadian Pacific Railway Co.	Montreal	14,137·00		46,013·00	17,644·00	512·60	114·00	37,046·00
Dominion Government Telegraph Service	Ottawa	10,699·25		11,115·50	346·00		361·25	
Grand Trunk Pacific Telegraph Co.	Montreal	5,190·75		12,589·00	7,208·00	25·00	1·50	
Great North Western Telegraph Co. of Canada	Toronto	15,692·60	75·00	46,141·90	2,728·80	372·70	103·00	3,790·00
North American Telegraph Co.	Kingston, Ont.	44·00		664·00				
Temiskaming and Northern Ontario Ry. Com.	Toronto	330·00		1,670·00				
Western Union Telegraph Co.	New York	3,082·89		18,106·07				
Totals		49,176·49	75·00	136,299·47	27,926·80	909·70	579·75	40,836·00

Table 6.—Messages, Employees, Remuneration, etc.

Name of Company.	Address.	Number of Land Messages.	Number of Cable-grams.	Number of Operators.		Number Other Officers and Employees.	Salaries and Wages.	Amount of Financial Paper Handled.
				Male.	Female.			
							$ cts.	$ cts.
Canadian Pacific Railway Co.	Montreal	4,148,202	292,721	445	121	1,068	1,087,687 28	497,853 71
Dominion Government Telegraph Service	Ottawa	371,833		795	137	172	400,479 86	
Grand Trunk Pacific Telegraph Co.	Montreal	218,606		310	5	53	45,907 74	
Great North Western Telegraph Co. of Canada	Toronto	5,167,052	413,903	1,921	152	541	725,145 36	61,506 71
Halifax and Bermudas Cable Co., Ltd.	London, Eng.						18,358 00	
Marconi Wireless Telegraph Co. of Canada	Montreal	56,583	161,382	163		101	141,664 43	
North American Telegraph Co.	Kingston, Ont.	93,881	5,150	38	16	3	3,272 46	
Pacific Cable Board	London, Eng.			50		8	88,057 67	
Temiskaming and Northern Ontario Railway Commission	Toronto	132,331	578	3	1	4	3,779 00	
Western Union Telegraph Co.	New York	647,445	261,161	210	47	217	283,878 03	
Totals		10,835,936	1,134,905	3,935	479	2,167	2,898,229 83	559,360 45

Table 7.—Pole Mileage by Provinces.

Name of Company.	Nova Scotia.	New Brunswick.	Prince Edward Island.	Quebec.	Ontario.	Manitoba.	Saskatchewan.	Alberta.	British Columbia.	Yukon..
	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.
Canadian Pacific Railway Co.....	558·00	476·00	.....	1,246·00	3,978·00	1,650·00	2,775·00	1,711·00	1,743·00	.....
Dominion Government Telegraph Service.....	847·00	91·75	*14·00	2,154·25	28·50	.....	982·50	1,433·00	4,438·25	710·00
Grand Trunk Pacific Telegraph Co.	.....	255·00	.....	784·50	1,337·00	300·50	1,107·00	689 00	717·75	.....
Great North Western Telegraph Co. of Canada.....	.....	455·00	.....	3,398·00	6,345·40	2,173·90	2,117·10	1,182·20	96·00	.....
North American Telegraph Co.....	.....	.....	.....	.....	44·00	.....	.....	.....	.....	.....
Temiskaming and Northern Ontario Railway Commission.....	.....	.....	.....	.....	330·00	.....	.....	.....	.....	.....
Western Union Telegraph Co.....	1,557·40	992·00	270·00	48·00	98·50	.....	.....	.....	116·99	.....
Totals.....	2,962·40	2,269·75	284·00	7,630·75	12,161·40	4,124·40	6,981·60	5,015·20	7,111·99	710·00

* In Newfoundland.

Table 8.—Wire Mileage by Provinces.

Name of Company.	Nova Scotia.	New Brunswick.	Prince Edward Island.	Quebec.	Ontario.	Manitoba.	Saskatchewan.	Alberta.	British Columbia.	Yukon.
	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.	Miles.
Canadian Pacific Railway Co.	2,607 00	2,916 00	.	9,362·00	35,411·00	10,157·00	15,001·00	14,322·00	11,550·00	
Dominion Government Telegraph Service.....	993·50	125·25	*14·00	2,407 50	45·75		1,069 50	1,449 50	5,097 75	710·00
Grand Trunk Pacific Telegraph Co.	.	517·00	.	1,584 00	3,833 00	1,808 00	3,932 00	3,818 50	4,331 00	. . . .
Great North Western Telegraph Co. of Canada.....	. . . . .	456·00	.	10,695 00	23,681 10	†8,617 00	6,176 80	3,315 50	192·00	. . . .
North American Telegraph Co.	. . . . .	. . . .	. . . . .		664 00	. . . .	. . . .	. . . .	. . . .	. . . . .
Temiskaming and Northern Ontario Railway Commission.....	. . . . .	. . . . .	. . . . .	. .	1,670 00	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .
Western Union Telegraph Co.....	7,718·29	5,474·06	433·89	48·00	3·858·20	. . . . .	. . . . .	. . . . .	573·63	. . . . .
Totals.....	11,318·79	9,488·31	447·89	21,096·50	69,166·05	20,582·00	26,182·30	22,995·50	21,654·38	710·00

* In Newfoundland. † 596·80 miles in State of Minnesota.

TABLE 9.—Number of Offices by Provinces.

Name of Telegraph Company.	Nova Scotia.	New Brunswick.	Prince Edward Island.	Quebec.	Ontario.	Manitoba.	Saskatchewan.	Alberta.	British Columbia	Yukon.	Total.
Canadian Pacific Railway Co.	28	18	.....	229	526	112	282	168	137	.....	1,500
Dominion Government Telegraph Service.	137	34	*2	190	9	.....	43	60	500	17	992
Grand Trunk Pacific Telegraph Co.	.....	.....	.....	.....	40	11	59	32	14	.....	156
Great North Western Telegraph Co. of Canada	.....	39	.....	411	555	119	161	55	16	.....	†1,393
Halifax and Bermudas Cable Co.	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	1
North American Telegraph Co.	.....	.....	.....	.....	44	.....	.....	.....	.....	.....	44
Marconi Wireless Telegraph Co.	6	2	1	11	8	.....	.....	.....	1	.....	29
Pacific Cable Board.	.....	.....	.....	1	1	.....	.....	1	2	.....	5
Temiskaming and Northern Ontario Railway Commission.	.....	.....	.....	.....	26	.....	.....	.....	.....	.....	26
Western Union Telegraph Co.	134	63	27	5	.....	.....	.....	.....	12	.....	241
Totals.	306	156	30	847	1,209	242	545	316	682	17	4,387

*In Newfoundland. †Includes 37 offices in United States.

Table 10.—Physical Equipment.

Name of Company.	Cells of Gravity Battery.		Cells of Storage Battery.			Motor Generators, Generator Side.				*Single Instruments.	Single Repeaters	Duplex.	Quadruplex.	†Circuits of Printing Telegraphs.
	Main.	Local.	20 Ampere Hours.	160 Ampere Hours.	8 Volts.	25 Volts.	100 to 135 Volts.	200 Volts.	350 to 400 Volts.					
Canadian Pacific Railway Co.	12,180	3,380	3,520	104	16	9	13	19	16	3,720	68	129	58	4
Dominion Government Telegraph Service	4,500	2,000	.....	.....	.....	.....	.....	.....	.....	900	5	.....	.....	.....
Grand Trunk Pacific Telegraph Co.	3,740	739	.....	.....	.....	.....	.....	.....	.....	505	7	.....	.....	.....
Great North Western Telegraph Co. of Canada	3,108	1,539	881	18	5	15	12	24	4	1,740	54	45	23	13
North American Telegraph Co.	50	121	.....	.....	.....	.....	.....	.....	.....	67	.....	.....	.....	.....
Temiskaming and Northern Ontario Railway Commission	300	98	.....	.....	.....	.....	.....	.....	.....	82	.....	.....	.....	.....
Western Union Telegraph Co.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Totals	23,878	7,877	4,401	122	21	24	25	43	20	7,014	134	174	81	17

*Sets (key, relay and sounder). †Including apparatus at both ends.

REPORT

OF THE

ROYAL COMMISSION

TO INQUIRE INTO

RAILWAYS AND TRANSPORTATION

IN

CANADA

PRINTED BY ORDER OF PARLIAMENT

OTTAWA
PRINTED BY J. DE L. TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1917

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COMMISSION.

P.C. 1680.

CERTIFIED COPY *of a Report of the Committee of the Privy Council, approved by the Deputy of His Royal Highness the Governor General on the 13th July, 1916.*

The Committee of the Privy Council have had before them a report, dated 12th June, 1916, from the Right Honourable the Prime Minister, submitting that it became necessary at the recent session of Parliament to make provision for assistance by loan to the Grand Trunk Pacific Railway Company and to the Canadian Northern Railway Company in order that such companies might be enabled to meet current obligations and to provide for payment of interest on outstanding securities.

Having regard to the conditions and necessities of railway development in Canada the Prime Minister is of opinion that the situation should be considered in a comprehensive way and that a thorough inquiry should be made by a Board of the highest ability and experience.

The Prime Minister further submits that the inquiry should have reference to the following matters:—

1. The general problem of transportation in Canada.

2. The status of each of the three transcontinental railway systems, that is to say, the Canadian Pacific Railway System, the Grand Trunk Railway System (including the Grand Trunk Pacific Railway and the Grand Trunk Railway and their several branches) and the Canadian Northern Railway System, having special reference to the following considerations:—

(*a*) The territories served by each system and the service which it is capable of performing in the general scheme of transportation;
(*b*) Physical conditions, equipment and capacity for handling business;
(*c*) Methods of operation;
(*d*) Branch lines, feeders and connections in Canada;
(*e*) Connections in the United States;
(*f*) Steamship connections on both oceans;
(*g*) Capitalization, fixed charges and net earnings having regard to (i) present conditions, and (ii) probable future development with increase of population.

3. The reorganization of any of the said railway systems, or the acquisition thereof by the State; and in the latter case the most effective system of operation, whether in connection with the Intercolonial Railway or otherwise.

4. Generally speaking, all matters which the members of the Board may consider pertinent or relevant to the general scope of the inquiry.

The Prime Minister therefore recommends as follows:—

That Alfred Holland Smith, of the city of New York, in the United States of America; Sir Henry Lumley Drayton, of the city of Ottawa; and Sir George Paish, of London, England, be the members of the said Board, of whom the said Alfred Holland Smith shall be chairman;

That the Board be constituted under part 1 of the Inquiries Act, and that it shall have all powers and authorities which could be conferred under the authority of that Act as amended by chapter 28 of the Statutes of 1912, intituled an Act to amend the Inquiries Act;

That the Provincial Governments be respectfully requested to afford to the Board any necessary information and co-operation in the inquiry;

That all the departments of the Government shall afford to the Board and to all persons acting under its authority and by its direction all such assistance and co-operation in the inquiry as the Board may desire;

That the Board of Railway Commissioners for Canada, the Commission of Conservation and all other bodies of a like character under the jurisdiction of the Parliament of Canada, shall co-operate with and assist the Board in the proposed inquiry;

That the Board shall report its findings and conclusions with the least possible delay;

That a commission for the purposes aforesaid shall issue to the members of the Board above designated.

The Committee concur in the foregoing and submit the same for appproval.

RODOLPHE BOUDREAU,
Clerk of the Privy Council.

P.C. 2567.

CERTIFIED COPY *of a Report of the Committee of the Privy Council, approved by His Excellency the Administrator on the 21st October, 1916.*

The Committee of the Privy Council have had before them a report dated 19th October, 1916, from the Right Honourable the Prime Minister, submitting that Sir George Paish has resigned his position as a member of the Board, appointed by Order in Council of the 13th July, 1916, to inquire into and report upon the general problem of transportation in Canada, etc.

The Prime Minister further recommends that William Mitchell Acworth, Esquire, Gentleman, of London, England, be appointed a member of the said Board of Inquiry in place of Sir George Paish, resigned.

The Committee concur in the foregoing recommendation and submit the same for approval.

RODOLPHE BOUDREAU,
Clerk of the Privy Council.

To His Excellency the Governor in Council:

The Report of the Royal Commission appointed to consider the general problem of transportation in Canada.

May it Please Your Excellency:

We, the Commissioners appointed by Order in Council dated July 13, 1916, to inquire and report on the Railways of Canada, have the honour to present our report to Your Excellency.

The subject matter of the reference to us is as follows:—

1. The general problem of transportation in Canada.

2. The status of each of the three transcontinental railway systems, that is to say, the Canadian Pacific Railway System, the Grand Trunk Railway System (including the Grand Trunk Pacific Railway and the Grand Trunk Railway and their several branches) and the Canadin Northern Railway System, having special reference to the following considerations:—

(*a*) The territories served by each system and the service which it is capable of performing in the general scheme of transportation;
(*b*) Physical conditions, equipment and capacity for handling business;
(*c*) Methods of operation;
(*d*) Branch lines, feeders and connections in Canada;
(*e*) Connections in the United States;
(*f*) Steamship connections on both oceans;
(*g*) Capitalization, fixed charges and net earnings having regard to (1) present conditions, and (2) probable future development with increase of population.

3. The reorganization of any of the said railway systems, or the acquisition thereof by the State; and in the latter case the most effective system of operation, whether in connection with the Intercolonial Railway or otherwise.

4. Generally speaking, all matters which the members of the Board may consider pertinent or revelant to the general scope of the Inquiry.

Sir George Paish, one of the original commissioners, was, owing to ill-health, unable to serve on the Commission, and on October 31, 1916, his formal resignation was received and Mr. William Mitchell Acworth was appointed in his place. Mr. Acworth landed in America early in December and joined in our work.

In September and October two of the commissioners, the Chairman Mr. Alfred H. Smith, and Sir Henry Drayton, spent some weeks inspecting the railways, travelling upwards of 10,000 miles, visiting all important points from Halifax to Vancouver and

Prince Rupert, and taking the opportunity of meeting and conferring with many representative citizens. We desire to express our appreciation of the manner in which the officers of the various companies facilitated our journey and assisted us to obtain a knowledge of local conditions.

We have had a physical examination made, in such detail as circumstances have permitted, of the railways of the Canadian Northern and the Grand Trunk Pacific, by a corps of engineers under the supervision of Professor Swain of Harvard University and the Massachusetts Institute of Technology. His report is given in Appendix A.

In addition to the information which we have obtained from our own inquiries and inspections and those of our staff, we have received voluminous reports and statistics from the different companies in reply to our inquiries on specific points. Two of our number have held formal hearings in Toronto into the affairs of the Canadian Northern Railway Company, and in Montreal into the affairs of the Grand Trunk and Grand Trunk Pacific Companies.

Since Mr. Acworth's arrival we have frequently met in Ottawa and in New York for discussion of the remaining matters referred to us. We have taken the situation as it is, and find ourselves in agreement as to the necessity for constructive aid to bring the railways through the present crisis. We differ, however, as to the extent and method of Government help desirable, and as to the increase and character of Government liability and interest now and for the future. It has, therefore, been found necessary to submit a report of the two concurring commissioners, with a brief statement of the minority recommendations. They will be found herewith.

Respectfully submitted,

A. H. SMITH,
H. L. DRAYTON,
W. M. ACWORTH.

Report of Sir Henry L. Drayton and Mr. W. M. Acworth.

Introductory.

This Commission is instructed by the Government to report on the "general problem of transportation in Canada, with the least possible delay." Under these conditions it has been clearly impossible for us to set on foot and await the result of exhaustive inquiries, and to elaborate in full detail a scheme based thereon. We believe that we shall best carry out the purpose which the Government had in mind in appointing us, if, after setting out the general situation as we see it, and the general conclusions at which we have arrived, we sketch in broad outline the scheme of readjustment which we recommend for adoption, and then indicate the manner in which, if and when our recommendations are approved by the Government and Parliament, those recommendations should be brought into practical operation.

PART I.

CANADIAN RAILWAYS.

Mileage, Capital and State Aid.

On June 30, 1916, the operating mileage of railways in Canada was officially reported to be as follows:—

	Miles.
In operation, miles of first main track (less duplications through trackage rights)	37,434
Under construction, according to official reports and estimates	3,150
	40,584

This mileage, which we take in round figures as 40,000 miles, is very great as compared to the population of Canada, assumed to be something like 7,500,000 at the present time. It far exceeds that of the United Kingdom or France, with populations, respectively, of 46,000,000 and 40,000,000. It is roughly equal to that of the German Empire, with 67,000,000 inhabitants, and of India, with more than 300,000,000 people.

It is only slightly behind Russia, with a very rapidly growing population of 170,000,000. Putting Canada alongside countries more nearly comparable, we find that Australia, with an area roughly corresponding to that of Canada, has 18,290 miles of line for 5,000,000 inhabitants. Argentina has 20,290 miles for the same population. To take yet another comparison, Canada has nearly one-sixth of the railway mileage of the United States; it has less than one-fourteenth of the population. Evidently, judged by the standards of other countries, the railway mileage of Canada bears a very high ratio to the population.

We may put the same thing in another way. The growth of the mileage has far outstripped the growth of the population. In 1901, with a population of 5,371,315, Canada had 18,140 miles of railway in operation; roughly, a mile of railway for every 300 inhabitants. In 1911, the population had increased 34 per cent to 7,206,643, while the mileage had increased by 40 per cent to 25,400 miles; a mile of railway to every 284 inhabitants. Since 1911, the population has, it is understood, not much increased, but the railway mileage open and under construction has grown to 40,584 miles. In other words, Canada has to-day, taking the present population as 7,500,000, only 185 inhabitants to support each mile of railway. Taking the four Western Provinces by themselves, there are only two-thirds of this number for each mile of railway. The United States have 400 inhabitants per mile of line; the United Kingdom, 2,000; Russia, 4,000. Even Australia has 274 inhabitants for each mile of railway; Argentina, 238. And Canada has, what none of these other countries have to a comparable degree, a magnificent internal system of natural waterways, which must always, so far as can now be foreseen, carry a very large proportion of the total traffic. Of course, if mileage be taken in relation not to population but to area, Canada, so far from being at the top, comes far down in the scale. But area means potentialities, not actualities. Population alone can supply traffic. That the railway mileage already built will be insufficient for the Canada of the future, we doubt not. The question which concerns to-day is the relation of existing mileage to the circumstances of the present and the proximate future.

These facts are fundamental, and must be steadily borne in mind in any consideration of the future of Canadian railways.

Apportionment of Mileage.

Of the mileage owned and in operation on June 30, 1916: (1) There were in the hands of the Dominion Government:—

	Miles.
Intercolonial	1,514
Prince Edward Island	275
Transcontinental	1,810
	3,599

(2) The mileage (excluding trackage rights) of the four large private operating systems was:—

	Miles.
Canadian Pacific	12,900
Canadian Northern	9,648
Grand Trunk	3,556
Grand Trunk Pacific (excluding Branch Lines Co.)	1,964
	28,068

(3) There were operated by other companies and Provincial Governments 6,366

37,434

Included in the mileage of "Other Companies" is the following mileage operated or controlled by United States corporations.[1]

	Miles.
Great Northern	575
Michigan Central	381
New York Central	103
Boston and Maine (including Maine Central)	41
Pere Marquette	199
	1,299

This is more than counterbalanced by Canadian companies' mileage in the United States, as follows:—

—	Proprietary[1]	Leased.[2]	Controlled.	Total.
Canadian Pacific	145	32	4,771	4,948
Grand Trunk	.....	.....	1,868	1,868
Canadian Northern	44	181	.....	225
	189	213	6,639	7,041

Revenue, Gross and Net.

For the year ending June 30, 1916, the gross earnings of the railways reporting to the Department of Railways and Canals, which include, in addition to Canadian mileage, the proprietary and leased, but not the controlled, mileage of Canadian companies in the United States, were $261,888,654, or practically $7,000 (6,997) per mile of road operated otherwise than under trackage rights.

[1] This list is not exhaustive and only gives important companies.

[2] These lines are essential parts of the parent systems, but organized separately for international reasons.

For the principal systems, which together are responsible for 87 per cent of the total earnings, the gross operating revenues per mile operated during the year were as follows:—

Road.	Operating Revenue.	Average mileage (including trackage) operated during the year.	Per mile of average mileage operated during year.
	$		$
Canadian Pacific	124,654,571	12,994	9,593
Canadian Northern	35,476,275	9,702	3,657
Grand Trunk	39,155,040	3,565	10,983
Grand Trunk Pacific (excluding B. L. Co.)	6,963,188	1,968	3,538
Transcontinental	5,798,516	2,002	2,896
Intercolonial	15,686,662	1,553	10,101

The net operating revenues and the average per mile operated during the year were as follows:—

Road.	Net operating Revenue.	Per mile of average mileage operated during year.
	$	$
Canadian Pacific	46,416,743	3,572
Canadian Northern	10,232,088	1,054
Grand Trunk	10,373,027	2,909
Grand Trunk Pacific (excluding B. L. Co.)	1,060,346	539
Transcontinental	429,455	214
Intercolonial	2,363,478	1,522

In addition to the revenues from rail transportation and services incidental thereto, the Canadian Pacific reported revenues from boat lines, commercial telegraphs, hotels, and news departments of $22,834,095 gross and $6,034,340 net.

Investment in Road and Equipment.

At the close of the year ended June 30, 1916, the investment in road and equipment as carried on the books of the companies or the Government was as follows:—

—	Book value of road and equipment.	Miles owned	Per mile.
	$		$
Canadian Pacific	530,788,978	7,779	68,233
Canadian Northern	494,762,489	9,002	54,961
Grand Trunk	424,169,310	3,331	127,340
Grand Trunk Pacific (excluding B. L. Co.)	192,312,218	1,962	98,018
Trancontinental	159,881,894	1,810	88,332
Intercolonial	116,234,204	1,514	76,773
	1,918,149,093	25,398	75,524

The book value of road and equipment is not to be regarded as accurately representing the actual cost of the property. "Cost of road and equipment," as set up on the books of a company, frequently represents not the actual cash outlay but the par value of the bonds and shares which have been issued to obtain cash or property. "Cost of road and equipment" may therefore include the par value of securities issued to obtain money for interest during construction, discounts on securities sold, and other items not strictly construction cost. And it may include sums to offset the par value of securities which have been issued for other than a cash consideration. For example, the Grand Trunk Pacific has $25,000,000, and the Canadian Northern has $100,000,000 of ordinary stock outstanding, neither of which issues represents more than a nominal sum of actual cash paid in. On the other hand, the Canadian Pacific Railway accounts shows that this company has received premiums of $45,000,000 upon the $260,000,000 of ordinary stock sold. These premiums are invested in the general asset of the company in the same manner as the proceeds of the stock itself.

If the sums mentioned for the Grand Trunk Pacific and Canadian Northern be deducted from the book account "cost of road and equipment," the statement becomes:—

	Cost of road and equipment.	Miles owned.	Average per mile.
	$		$
Canadian Northern	394,169,130	9,602	43,786
Grand Trunk Pacific	167,312,218	1,962	85,276

Return on Capital.

The net operating revenues have already been stated. Taking in taxes, rents, and similar items, which relate to operation, the relation of the net operating income to cost of road and equipment comes out as follows:—

Road.	Net operating revenue.	Net rents, hire of equipment, taxes, etc.	Total.	Per cent on property investment.
	$	$	$	%
Canadian Pacific Railway	46,116,743	2,109,477 Dr.	44,307,266	8·34
Canadian Northern	10,232,088	1,241,465 Dr.	8,990,623	2·28
Grand Trunk	10,373,027	469,926 Dr.	9,903,101	2·33
Grand Trunk Pacific (excluding branch lines)	1,060,346	1,153,283 Cr. (Estimated)	2,213,629	1·15
Transcontinental	429,455	1,371,070 Dr.	943,615 Dr.	Deficit.
Intercolonial	2,363,478	167,214	2,196,264	1 88

With the exception of the first-named railroad, the return is so low as to afford further support for the view which we have suggested, that the country has built more railroads than can be justified on commercial grounds.

Government Aid in General.

The geographical location and climate of Canada are such that easy communication with the settled districts had to be established before any large permanent population could find means of support in the newer country. Without railways the rich grain-growing provinces of the West would have remained a hunting and trapping district, or at best a grazing section, because it would have been impossible to get out the grain which constitutes the chief product of those provinces. The people have been liberal in promoting railway building in advance of their profitable operation on a commercial basis. Great grants of land have been given to the two principal systems in the West. But without these railways the land would have been practically valueless. Cash aid has also been voted liberally. The total for this purpose up to June 30, 1916, is reported as $116,000,000 by the Dominion Government, about $30,000,000 by the provinces, and $12,000,000 by municipalities. The Governments, both National and Provincial, have frequently entered directly upon construction projects when private capital could not be found; as for instance the Dominion Government in the case of the Hudson Bay Railway, and the Ontario Government in the case of the Temiskaming and Northern Ontario. They have also often extended large assistance to private companies by direct loans, by purchase of their securities, and by guarantees. These have grown to large sums. By far the largest part, though not all, of the aid of this kind is to be found in the principal systems. We give the detail as follows:—

Government Aid to Canadian Northern.

According to the reports of the Statistical Bureau of the Department of Railways and Canals, the roads composing the Canadian Northern System had received assistance up to June 30, 1916, as follows:—

(1) *Subsidies:*

Paid by Dominion Government	$31,286,720
" Provinces	6,821,724
" Municipalities	765,704
	$38,874,148

The total amount reported by the Canadian Northern Company, as received upon the foregoing account, is $33,917,175. The difference is explained by the fact that the Government reports comprise aid granted to companies now included in the Canadian Northern System prior to their inclusion.

(2) *Land grants:*

Location.	Received.	Of which sold.
	Acres.	Acres.
Nova Scotia	150,000	150,000
Quebec	402,860	
Ontario	2,000,000	
Manitoba, Saskatchewan, Alberta	4,002,848	3,159,720
	6,555,708	3,309,720

Amount realized from land sales, $16,603,295.

The company appraises its unsold lands at $19,885,485, present value.

(3) *Guarantees.*—As at June 30, 1916, the company had outstanding securities bearing the guarantee of the Dominion or Provincial Governments as follows:—

Guaranteed by	Par value.
	$
Dominion of Canada	104,613,247
Province of Alberta	18,950,361
" Saskatchewan	14,762,546
" Manitoba	25,501,865
" Ontario	7,859,997
" British Columbia	39,953,124
	211,641,140

The foregoing represents the bonds reported by the company as guaranteed and outstanding. Provincial reports indicate that additional guarantees have been made, especially by Alberta and Saskatchewan. These presumably are related to mileage on which the guarantees have not yet been earned. Some of these projects are apparently in abeyance, and may perhaps be abandoned.

(4) *Loans.*—The Canadian Northern has had direct loans from the Dominion Government:—

July, 1914, secured by mortgage	$ 858,166
October, 1914, secured by deposit of $12,500,000 of 4 per cent Government guaranteed debentures, included in above mortgage	10,000,000
June, 1916, secured by mortgage	15,000,000
	$ 25,858,166

Summary:

Subsidies		$ 38,874,148
Land grants (sold, $16,603,295; realized on mortgage, $17,776,514)		34,379,809
Cash loans (interest not being paid)		25,858,166
Securities guaranteed	$211,641,140	
Less Government guaranteed debentures held as collateral	12,500,000	
		199,141,140
Total public assistance, direct and indirect		$298,253,263

The company has not realized par value for all the securities guaranteed; $60,292,700 par value are pledged as collateral security for loans, of which $100,000,000 have been, as stated above, lent by the Government; the balance has been lent by private investors.

Government Aid to Canadian Pacific.

Some time prior to 1880, the Dominion Government undertook the construction of a road that was designed to be a link in a transcontinental line. In that year the Canadian Pacific Railway Company was organized for the purpose of completing the line. The assistance given to the company by the Government comprises the following:—

(1) *Railroad handed over.*—The cost of road and surveys made by the Government, and turned over to the company free of cost, was $37,785,320.

(2) *Cash aid:*

By Dominion Government to Canadian Pacific Railway Company	$30,289,343
By Dominion Government to subsidiary companies	13,129,873
By Provincial Governments to Canadian Pacific Railway Company	412,878
By Provincial Governments to subsidiary companies	12,016,257
By municipalities to Canadian Pacific Railway Company	464,761
By municipalities to subsidiary companies	4,632,422
By Dominion Government (by purchase back of land previously granted)	10,189,521
	$71,135,055
Deduct loans since repaid	4,229,574
Total cash aid	$66,905,181

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(3) *Land grants:*

	Acres.
By Dominion (excluding land repurchased)	21,634,190
By British Columbia	6,388,998
	28,023,188
Land sales to June 30, 1916	16,541,056
Land still in hand, acres	11,482,132

Proceeds of lands and townsites to June 30, 1916, $123,810,124.

The company's report for June 30, 1916, shows net proceeds from land sales as $68,255,803. The difference, it is understood, represents expenditure by the company for development projects, irrigation, hotels, etc., and, in some cases, dividends.

The unsold lands of the company are carried in its accounts at $119,250,000.

Summary:—

Completed road and surveys, cost Government	$ 37,785,320
Cash subsidies	66,905,481
Lands sold	123,810,124
Total public assistance, direct and indirect	$228,500,925[1]

Further, indirectly, the Canadian Pacific has had Government aid, the value of which cannot be determined, such as right to take public land free for railway purposes; various loans (since repaid); certain exemptions from taxes; admission of original construction material free of duty; and other concessions.

Government Aid to Grand Trunk.

According to Government reports, the roads now comprised in the Grand Trunk Railway Company's undertaking have received aid as follows:—

(1) *Subsidies:*

Dominion Government	$ 3,423,699
Provinces	4,077,233
Municipalities	5,502,128
	$13,003,060

(2) *Loan:*

The Dominion Government made to the Grand Trunk Railway Company, many years ago, a loan, (interest on which has never been asked for or paid), amounting to	$15,142,633
Total	$28,145,693

1 It must be noted that this sum is not net to the company, as it represents the gross receipts, while the company has expended large sums of money in irrigating a portion of the lands sold. As pointed out, however, the company values its unsold lands at $119,250,000.

Government Aid to Grand Trunk Pacific.

(1) *Subsidies:*

Provincial	$ 376,320
Municipal	350,000
Total	$ 726,320

(2) *Other Cash Aid:—*

Under the "implementing clause" the Dominion Government has paid to the Grand Trunk Pacific	$ 6,263,716
It has also lent upon or bought securities as follows:	
May, 1909, 4 per cent Prairie Section bonds bought at par	$10,000,000[1]
August, 1913, 4 per cent debentures due in 1923, bought at par	15,000,000[1]
Loan of 1914, secured by pledge of $7,500,000 of 4 per cent bonds	6,000,000
1913-14, 3 per cent first mortgage bonds (bought from company)	33,048,000
Direct investment of Dominion Government	$70,311,716

Loans to the amount of $8,000,000 were authorized by Parliament in 1916. Advances under this authority are not here included, but are referred to subsequently.

(3) *Guarantees.*—The Dominion Government has also guaranteed outstanding bonds of the Grand Trunk Pacific in addition to those actually held by the Government:—

First mortgage, 3 per cent bonds	$34,992,000
4 per cent sterling bonds of 1962	8,440,848
	$43,432,848

Summary:—

Subsidies and other cash aid	$ 6,990,036
Dominion Government investment in securities	64,048,000
Dominion Government guarantees	43,432,848
Total	$114,470,884
The Grand Trunk Pacific Branch Lines Company has also Provincial guarantees on bonds outstanding to the amount of	$ 13,469,004

[1] These securities are guaranteed by the Grand Trunk Railway Company of Canada.

Total Public Investment.

We tabulate the above figures for all the companies together and add to them the capital of the Government railways as shown in the Government account.

—	Subsidies.	Proceeds of lands sold.	Loans outstanding or investment.	Guarantees outstanding.	Total.
	$	$	$	$	$
Canadian Northern	38,874,148	34,379,809	25,858,166	199,141,140	298,253,263
Canadian Pacific	[1]104,690,801	123,810,124			228,500,925
Grand Trunk Railway	13,003,060		15,142,633		28,145,693
Grand Trunk Pacific	726,320		70,311,716	43,432,848	114,470,884
Grand Trunk Pacific Branch Lines				13,469,004	13,469,004
National Transcontinental			159,881,197		159,881,197
Intercolonial			116,234,204		116,234,204
Prince Edward Island			9,496,567		9,496,567
Total	157,294,329	158,189,933	396,924,483	256,042,992	968,451,737

Not counting the loss of interest for many years upon the investment in roads operated by the Government, it appears that for the eight systems, in which the public is most interested, the people of Canada, through their Governments have provided, or guaranteed the payment of, sums totalling $968,451,737. This works out at over $30,000 per mile of road. But even this is not all. In addition, they have granted great areas of land as yet unsold and unpledged. They have undertaken the construction of other lines whose cost will be an important addition to this large outlay. Further, in the case of some of the companies included above, to which they have given or lent large sums of money to meet pressing needs, unlike private lenders, who would naturally have demanded a security charged in front of all previous investment, they have voluntarily accepted a charge ranking after the bulk of the private capital already put into the undertaking.

Proportion of Public Investment.

We pause at this point in the history to interpose some remarks on a subject to which we shall have to revert more at length hereafter. The above figures show that the Grand Trunk Pacific system, including its "branch lines" has obtained from the public authorities in cash or in guarantees of bonds, $127,939,892, out of $197,129,391[2] which is given as the total cost of the property; and the Canadian Northern has similarly obtained $298,253,263 out of $370,302,451, which is the maximum possible cash cost of the property as far as we have been able to ascertain it. On the other hand, the history shows that the Grand Trunk Railway proper has received much less assistance than either of the other two great companies with which it is in competition. The Grand Trunk began as long ago as 1851, before the Dominion of Canada came into existence, and before the modern policies of subsidies and guarantee had been

[1] Includes railroad turned over to company.

[2] As reported to Parliament, February 29, 1916. This figure includes $26,938,139 interest during construction.

introduced. In the main it has had to rely throughout its history on its own resources, and it has had for many years to compete with heavily subsidized rivals. While it was the pioneer in giving to Canada railway service, its shareholders have never had but very moderate dividends. We have felt this should be borne in mind when dealing with the question of the Grand Trunk Pacific, and it has had some influence on the recommendations which we make later on this subject.

Historical Development.

The railway history of Canada has gone through three distinct phases. In the first period, the Grand Trunk came into existence almost entirely as the result of the investment of private capital. It is comparable in this respect with the private railway companies of England and the United States.

In the second period, the Canadian Pacific was brought into existence and carried through its early difficulties by direct Government support and large financial assistance from public funds. As a result of this support and assistance, coupled with the rapid growth of Canadian population and wealth, and its own wise and prudent management, the Canadian Pacific has "made good." It has raised, without further Government help, hundreds of millions of new capital. Its common stock, which carries control of the property, represents an average of $112.50 of actual cash put into the property for every $100 of nominal face value. The shareholders have for years received handsome dividends; they have, out of operating surplus, invested $100,000,000 in subsidiary undertakings; they have realized $68,000,000 net from land sales, and they still possess land conservatively valued at $119,000,000. Against no part of this total value has any capital been issued. To-day the Canadian Pacific stands as one of the wealthiest and financially strongest railway companies in the world; fully able to raise, on its own credit and on the most favourable terms, all the new capital which will be required to meet the demands for new development that the future will bring.

The Canadian Northern and Grand Trunk Pacific belong to the third period. Though the outward form of these two undertakings is that of a private company substantially they both rest on the responsibility of the Governments, National and Provincial. Their common stocks, which carry with them control of the respective properties, represent no practical cash investment, and both companies have failed to "make good." They are kept going at present only through large advances of public money.

We think the success of the Canadian Pacific Railway, as contrasted with the fact that the Grand Trunk Pacific and Canadian Northern have had to come back to the Government for help far beyond that originally contemplated, points a distinct moral. There was given to the Canadian Pacific at the outset, direct aid with a generous hand, and the aid was continued up to the point when the company could stand alone. The country knew what it was paying. Had it known how splendid a property it was building up, it would no doubt have stipulated for some share in the reversion. But even as it is, the people of Canada, in our view, have had good value

for their money. In the early days of the Canadian Northern no direct aid was given other than a comparatively small grant of land, at the time almost valueless. Since then the company has received $38,874,000 in subsidies: but this is very small in proportion to the direct aid given to the Canadian Pacific. Great sums of money were indeed guaranteed by the Dominion and the Provinces, but up to 1914 the company apparently met its obligations from its own resources. To the Grand Trunk Pacific, direct aid was indeed given to a considerable extent, but the financial scheme mainly relied on guarantees, first by the Governments, and secondly by the Grand Trunk Company. We do not think the Governments, either of the Dominion or of the Provinces, fully realized how serious was the liability which they were assuming. We do not think the companies realized how serious the position would be, if recourse had to be had to the guarantees. While we are not prepared to say that in no circumstances should guarantees be given, we do feel that a policy of guarantees on a large scale is a dangerous policy. It is evident that guarantees have been given in the past without adequate appreciation of the fact that they might fall due, and that, if they did, the burden would be grave. We recommend that in future no guarantees be given without being taken up into the books of the guarantor as a continuing liability, and without some financial provision being made against the possibility of their falling due.

Growth of Canadian Railways.

Till within the last decade, Canada was (omitting the Intercolonial Railway, and other smaller undertakings of only local interest) served by two main systems. They were:—

(1) The Canadian Pacific, stretching right across the continent, and having access to all important points both in the East and in the West, with control also of a considerable mileage in the United States, and in a very prosperous financial position.

(2) The Grand Trunk, whose original charter dates from 1851, with a strong hold on Eastern Canada, and also with important United States connections. The Grand Trunk had always met its obligations, though over a series of years the return to its shareholders had been but small. Westward the Grand Trunk only extended, in Canada, as far as lake Huron.

(3) But even ten years ago, the Canadian Northern, which had started as a local line in Manitoba in 1896, was beginning to build up in the Prairie Provinces a system which, in 1906, comprised more than 2,400 miles, and which now contains over 5,000 miles in these provinces. The Canadian Northern had grown rapidly with the growth of the western country, but had always earned sufficient net returns to take care of its obligations.

The Canadian Pacific had, it will be seen, the advantage of gathering its own traffic for itself and of keeping it in its own hand throughout. The other two companies were in a different position. The Canadian Northern had to depend for westbound rail traffic on what the companies in the East, one of which was a rival, handed to it. On the traffic which it collected in the West, it lost the long haul to

the East. It was not unnatural that the company should reach out to the East. For the same reason it was equally natural that the Grand Trunk Company should reach out to the West. And public sentiment which felt that the growth of the country justified and required more than one transcontinental line, undoubtedly sympathized with the companies' ambitions.

The natural solution of the question undoubtedly was that the Canadian Northern and the Grand Trunk should join forces and construct a line from North Bay, or its neighbourhood, to Port Arthur. Negotiations for the amalgamation of the two companies were, we understand, actually set on foot in 1903. Unfortunately they came to nothing; and each company set out independently to construct into the territory of the other. And a very large measure of Government help was given to them both, with the result—hardly, we think, with the deliberately contemplated object—of obtaining not merely two but three transcontinental routes. An uninformed and unreasonably optimistic public opinion undoubtedly supported this action at the time. We cannot, however, but feel that those responsible for the policy of the Grand Trunk and Canadian Northern Companies should have been wiser than the public.

PART II.

THE GRAND TRUNK SYSTEM.

The Grand Trunk scheme, first put forward in 1903 under two Acts of Parliament, both dated October 24, 1903, was for a main line right across the continent from Moncton to Prince Rupert. The portion of the line east of Winnipeg was to be built by the Government and leased to the Grand Trunk Pacific Company for fifty years certain, with a possibility of renewal. The portion west of Winnipeg was to be built by the Grand Trunk Pacific Company, with large Government assistance. The Grand Trunk Pacific was to build any necessary branches of the system both East and West, and was to operate the whole. The Grand Trunk was to hold, and in fact always has held, the entire share capital of the Grand Trunk Pacific. And the Grand Trunk has had full control of the undertaking throughout.

In fairness to the Grand Trunk it should be observed that the responsibility for the construction of the line from Moncton to Winnipeg, now known as the National Transcontinental, does not primarily rest on them. The proposal of the company, as originally formulated and submitted to the Government, was for a line from the Pacific through Winnipeg as far as North Bay. Government action was responsible for the line being carried eastward all the way to Quebec. And the further prolongation from Quebec to Moncton was added during the passage of the Bill through Parliament.

But though the Grand Trunk did not originate the National Transcontinental, it accepted full liability for it. The agreement between the Grand Trunk Pacific and the Dominion Government provided as follows: "In order to insure, for the pro-

tection of the company as lessees of the Eastern Division of the said railway, the economical construction thereof in such a manner that it can be operated to the best advantage, it is hereby agreed that the specifications for the construction of the Eastern Division shall be submitted to and approved of by the company before the commencement of the work, and the said work shall be done according to the said specifications, and shall be subject to the joint supervision, inspection, and acceptance of the chief engineer of the company."

Upon this provision the Grand Trunk Pacific Company, in an official publication "The Grand Trunk Pacific; Canada's National Transcontinental Railway; 10th edition, January, 1912," comments as follows:—

> "Since the rental payable by the company to the Government for the use of the Eastern Division is a percentage on the cost of construction, it will be observed that it is a matter of great importance to the company that this item 'cost of construction' shall be determined on the most economical basis consistent with a well-built railway, in which respect the foregoing provision contained in the agreement fully protects the company."

The company, then, appreciated that "cost of construction" was to it a matter of great importance, and considered that it was fully protected by the terms of the agreement. But as, in spite of the right of the company to approve specifications and the right of the company's chief engineer to supervise and inspect the work, the cost of construction of the National Transcontinental, which had been estimated at $61,415,000 was permitted to reach $159,881,197, the company objected to carrying out their bargain. And the Government, by accepting the company's refusal and commencing to work the line themselves, have in effect released the company unconditionally. The National Transcontinental is now part of the Government Railways. We make at this stage only two comments on what is past history: The one that the people of Canada have been generous to the shareholders of the Grand Trunk Pacific; the other that the Grand Trunk Pacific shareholders, in other words the Grand Trunk Company, have not shown such prudence and business foresight as would naturally encourage the Government to have confidence in their future management.

The refusal of the Grand Trunk Pacific to take over the operation of the line from Winnipeg to Moncton, with the result that the eastern half of the intended through route is being operated by the Government, has implied the temporary failure of the complete scheme as approved by Parliament. The line west of Winnipeg is at present being operated under the control of the Grand Trunk, the nearest point of whose rails is at North Bay, a thousand miles away. It would clearly be impossible for the Government to permit this as a permanent policy.

Grand Trunk Pacific Finance.

The original scheme for financing what was then known as the Western Division of the Grand Trunk Pacific, that is, the entire line as now left after the Government has assumed the responsibility for the Eastern Division, was as follows: The

line was divided into two sections, the Prairie Section (914 miles) from Winnipeg *via* Edmonton to Wolf Creek, Alberta; and the Mountain Section (832 miles) from Wolf Creek to Prince Rupert. On the Prairie Section the Government guaranteed 50-year first mortgage 3 per cent bonds of the Grand Trunk Pacific, to the amount of $13,000 per mile. On the Mountain Section, it guaranteed similar bonds to the extent of 75 per cent of the total cost, whatever that might thereafter be ascertained to be. The balance of the cost of both sections was to be found by the issue of 4 per cent mortgage bonds of the Grand Trunk Pacific guaranteed by the Grand Trunk Company. These latter were, in effect, second mortgage bonds though not so called. The Lake Superior branch was built by the company from the proceeds of its own bonds, with the help of subsidies both from the Dominion Government and from the province of Ontario.

First mortgage bonds were issued to the amount of $68,040,000, and owing to subsequent arrangements with the Government which it is not necessary here to describe, the company obtained their full par value in cash. There were also issued $20,169,000 of second mortgage bonds, $7,583,000 Lake Superior Branch bonds, which together produced $25,734,915.81 in cash. The $93,774,915.81 proved entirely inadequate to complete the system. By an Act of 1906, as amended in 1913, the Grand Trunk Pacific was empowered to create 4 per cent perpetual debentures to the amount of $50,000,000 for the purchase of rolling stock and the acquisition of branch lines. These debentures are guaranteed by the Grand Trunk Company and various amounts have been issued from time to time. On January 1, 1917, $34,879,252.86 of them had been sold to the public, and had produced $31,411,985.96 in cash. In May, 1909, the Government lent to the Grand Trunk Pacific Company $10,000,000 at 4 per cent, charged by way of further mortgage upon the Prairie Division, and also guaranteed by the Grand Trunk Company. In June, 1913, the Government lent to the Grand Trunk Pacific Company a further sum of $15,000,000, charged upon an equal amount of 4 per cent Prairie debentures, guaranteed by the Grand Trunk Company, and issued to the Government. In June, 1914, the Government guaranteed a further issue of not exceeding $16,000,000 4 per cent Grand Trunk Pacific bonds. Part of these were sold; another portion was issued and pledged to the Government as security for a cash loan of $6,000,000. The company has also raised $9,095,512.05 by the issue of $9,720,000 notes guaranteed by the Grand Trunk and further secured by the deposit of $14,580,000 of debenture stock. In all the Grand Trunk Pacific Company had, up to the end of February, 1916, issued securities to the amount of $179,782,100.86 and obtained therefor $172,009,663.62 cash. Since that date the company has obtained from the Government further advances of $4,397,741.43 and the Government auditor has passed for payment another advance of $940,585.

The Grand Trunk Pacific Branch Lines Company has outstanding bonds for $9,879,408, guaranteed by the province of Saskatchewan, and $3,589,596 guaranteed by the province of Alberta; a total of $13,469,004. For these bonds, $12,688,544 in cash has been received.

The three railway companies composing the Grand Trunk Pacific Railway system (that is the Grand Trunk Pacific, the Grand Trunk Pacific Branch Lines Company, and the Grand Trunk Pacific Saskatchewan Railway Company), repre-

sent construction expenditure, according to the report to the Government in February, 1916, of $197,129,591. Owing to the long time during which the roads were treated as "under construction," no less than $26,938,139 of this outlay is for interest. Since January 1, 1916, the line is officially in operation. It was open for traffic throughout sixteen months earlier and considerable sections were in operation at a much earlier period.

The interest charges on the funded obligations and Government loans of these companies are approximately $7,200,000 a year. There are further debts of the Grand Trunk Pacific and subsidiary companies to the Grand Trunk for advances amounting to $26,341,040.53 and for interest thereon; 6 per cent on which, added to the other liabilities, brings the total interest charges of the undertaking to $8,846,544.20 a year. As a partial offset, the Dominion Government is under an obligation to pay, without recourse for seven years after completion, the interest on the Government guaranteed first mortgage bonds of the Mountain Section, amounting to $1,655,121.60 a year. Further, the system has a certain amount of net income. For the year ending December, 1916, the Grand Trunk Pacific proper showed net income of $1,899,052. This figure, however, included $600,000, rent of the Lake Superior branch leased to the National Transcontinental, and $1,305,741, hire of equipment. There was an operating loss of $922,398 on the Branch Lines. All together, in spite of losses on operation, the system had a net income before charges of $826,653.

Grand Trunk Liability for Grand Trunk Pacific.

The Grand Trunk Railway Company stands as guarantor of the following outstanding debentures and bonds issued and loans made to the Grand Trunk Pacific Railway Company:—

4 per cent Series A Prairie Division	$10,206,000	
4 " " B Mountain Division	9,963,000	
4 " Lake Superior Division	7,533,000	
4 " Perpetual Debentures	34,879,252	
5 " Secured Notes (secured by pledges of 4 per cent debentures)	9,720,000	
Canadian Government Loan of 1913	15,000,000	
" " " 1909	10,000,000	
Total guarantees		97,301,252

In addition, the Grand Trunk Railway Company had at February 29, 1916, advanced to the several companies the following sums:—

Grand Trunk Pacific Railway Company	$ 801,783 54	
" " " Branch Lines Company	13,369,537 83	
" " " Saskatchewan Railway Co	214,500 00	
" " " Development Company, Ltd	11,793,907 46	
Total advances		26,179,728
Total commitment of Grand Trunk Railway Company		$123,280,980

In respect of these advances they hold the companies' notes to the amount of $24,334,016.55.

We estimate the present annual liability of the Grand Trunk in connection with the Grand Trunk Pacific system to be considerably over $5,000,000 per annum; and after January, 1923, it will increase to over $7,000,000.

Grand Trunk Company's Proposal.

The Grand Trunk Company have, in the letter of their president, addressed to the Prime Minister and dated December 10, 1915, officially acknowledged that they cannot fulfil their obligations in reference to the Grand Trunk Pacific. The Grand Trunk Company have already obtained a tacit release from their contract in reference to the Transcontinental half of the original Grand Trunk Pacific undertaking. They have now, by their chairman's letter, put it on record that they are "at the end of their tether." They say that it is "quite impossible for them to meet the extra liabilities arising from the Grand Trunk Pacific Company." They propose to retire altogether from the concern; that in return for their handing over to Government the $25,000,000 common stock of the Grand Trunk Pacific Railway, which is in their possession, but for which they only paid a nominal amount of actual cash, the Government shall not only relieve them of all liability for the interest on the securities of the Grand Trunk Pacific and subsidiary companies, and for any deficiencies of operating expenses of the Grand Trunk Pacific System, but shall "repay the Grand Trunk Railway Company any money advanced to the Grand Trunk Pacific or its Branch Lines and Development Company and other subsidiary companies."

We cannot think that this is a reasonable proposition, or one that we could advise the Government to accept. What would be thought if one partner in a business were to say to the other: "We entered jointly on an enterprise which we thought would be profitable. It has turned out the reverse. I propose that you settle with the creditors, pay out to me the whole of the capital I put in, and let me retire. Provided I go free, I am content that you make what you can of the business." We think the Grand Trunk Company cannot thus escape the consequences of its own action. We quite agree that the Grand Trunk Company cannot meet its Grand Trunk Pacific liabilities. But, if the Government is to relieve the Grand Trunk Company of liabilities which it voluntarily incurred, but which it now finds it impossible to meet, it is for the Government, not for the company, to fix the terms.

The Grand Trunk Case.

Having regard to the great importance of this question, not only to the Grand Trunk and Grand Trunk Pacific Companies, but also to the people of Canada, before deciding what to report in reference to the present position, and what to recommend for the future, we gave to the management of these companies full opportunity to state their case. We invited them to put forward every ground on which they based their application that the Grand Trunk Company should be relieved by the Government of their obligations in respect to the Grand Trunk Pacific, and have repaid to them by the Government their advances to the Grand Trunk Pacific Company and its subsidiaries, which otherwise would be uncollectable. And we also investigated the physical and financial position of the companies.

In a letter addressed to Mr. Chamberlin, president of both companies, dated November 30, 1916, we wrote as follows:—

> "Before looking into the Grand Trunk Pacific history from a parliamentary standpoint, I would like to have the company's own statement so as to make sure that no injustice will be done it.
>
> "Will you please write, or have Mr. Biggar write, giving the history of the project, and the underlying motives and objects to be served, as the company understood them, and say to what, if to any extent, the company was prevented or hindered in carrying out its programme? If Mr. Biggar has a series of draft Acts showing changes from time to time made before the adoption of the final Act that probably would be helpful."

To this letter Mr. W. H. Biggar, K.C., general solicitor for both systems, in a letter received by us on December 12, replied as follows:—

Inception of the National Transcontinental.

> "The construction by the Grand Trunk interests of a line into the western provinces appears to have been first suggested by Mr. Hays to the late Sir Charles Rivers Wilson, then president of the Grand Trunk, early in 1902. The correspondence between these two officials clearly shows that the chief purpose was the construction of a line to connect the Ontario lines of the Grand Trunk with the western provinces. The general outline of the scheme having received the approval of the directors of the Grand Trunk in London, Mr. Hays, on October 23, 1902, submitted it to Sir Wilfrid Laurier, then Prime Minister. On November 3, 1902, probably at the suggestion of Sir Wilfrid Laurier, a memorial was addressed to him signed by the late Mr. Hays and the late Mr. Wainwright. The following extracts from that memorial show what was contemplated:—
>
> "'Your petitioners desire to memorialize your Government in regard to the construction of a first-class line of railway from the northern terminus of the Grand Trunk Railway at, or near, North Bay, Ont., through to the Pacific coast, for the reasons and upon the conditions herein set forth:—
>
> "'First: That it is considered very desirable and in the public interest that there should be, without any unnecessary delay, a second transcontinental railway reaching from the Atlantic ocean to the Pacific ocean, in order that additional facilities may be provided for the large and growing business of the Northwest, which might otherwise find its outlet through American channels.
>
> "'Second: That your petitioners propose, as soon as authorized by your Government, to undertake the construction of such a line from North Bay, Ont., or some other point north thereof, to be defined, to the Pacific coast, the terminus to be at or near Port Simpson; with all necessary branches along the route, to be designated.
>
> "'Third: That your petitioners therefore ask that their application for authority to construct such a line of railway to be called the Grand Trunk Pacific Railway shall be granted.
>
> "'Eighth: That in order to provide for connection with the Atlantic seaboard, all the year round and through an all-British territory route, your petitioners will be prepared to enter into an arrangement with the Government for an interchange of traffic or other satisfactory agreement with the Intercolonial Railway at Montreal, or such other proposal as the Government may submit.

"'Ninth: That your petitioners would have the advantage of all the eastern connections in Ontario and Quebec, of the Grand Trunk Railway, and by this means (on the completion of the transcontinental line) there would be established and opened up a complete system from ocean to ocean.'

"Shortly after this memorial was presented, Mr. Hays instructed that notice of an application to Parliament for an Act to incorporate 'The Grand Trunk Pacific Railway Company' be prepared and published. I inclose a copy of the notice marked 'A.' In accordance with an apparent understanding between Sir Wilfrid Laurier and Mr. Hays that notice was, before publication, submitted to and approved by the then Minister of Justice, now Chief Justice of the Supreme Court of Canada. Subsequently the Bill, a copy of which marked 'B' is also inclosed, was prepared and forwarded to the Clerk of the House. In the early months of 1903, conferences were from time to time held between Mr. Hays and Mr. Wainwright on behalf of the company and Sir Wilfrid Laurier and members of his Cabinet, as a result of which Mr. Hays was asked to have the Bill amended to provide for the construction of a line from North Bay to Quebec. Not only do I personally know this to be the fact, but it is corroborated by a letter written to Sir Charles Rivers Wilson by Mr. Hays on March 16, 1903, in which he stated that 'at the request of the Government we have amended our Grand Trunk Pacific charter taking powers to build a line from Quebec to North Bay.' I inclose a copy marked 'C' of the notice published in accordance with that undertaking. When the Bill first came up for discussion before the Railway Committee of the House of Commons, such strong opposition developed that practically no progress was made at that meeting nor, in fact, at several subsequent meetings of the committee. While the Bill was thus under consideration, several members from the Maritime Provinces insisted that the eastern terminus of the line should not be Quebec but a point in the Maritime Provinces. So strongly was this view pressed that in the end the Government acquiesced and directed that the Bill be further amended to include the construction of a line from Quebec to Moncton. I attach, marked 'D,' a copy of clause 13 of the Bill reprinted by direction of the committee to give effect to this. Moncton was decided upon as a compromise, regard being had to the fact that both Halifax and St. John could be reached from there by the Intercolonial. As you will see, this clause as reprinted authorized the construction of branch lines to Fort William or Port Arthur and to North Bay. During all this time negotiations were still being carried on between the Government and the representatives of the company regarding the extent of and the terms upon which the Government should aid in the construction of the line. These resulted in the agreement of July 29, 1903, a copy of which forms the Schedule to Chapter 71 of the Statutes of 1903. The facts herein stated, and the enclosures, show how the scheme as first outlined by Mr. Hays came to be so materially changed. That his original intention was not carried out was, to my personal knowledge, not due to a change of view on his part but because he came to the conclusion that the Government aid essential to the construction of any Grand Trunk Pacific line could only be secured upon the terms set forth in the agreement of July 29, 1903."

It is not necessary to reprint the exhibits referred to in Mr. Biggar's letter. They fully establish his statement that the original advertisement, the draft Bill, and the notice of intention to apply for the Act, were all merely for the construction of a line from a point at or near North Bay, in the province of Ontario, and thence westerly. But Mr. Biggar's own letter shows also that the Grand Trunk Company, however reluctantly, did accept, as the only consideration on which they could get authority

and assistance to construct and operate the Grand Trunk Pacific line from Winnipeg westward, the obligation to operate also the line from Winnipeg eastward. But this point is not of importance, as the company has, in effect, been released from the obligation that it assumed.

Mr. Biggar, however, confined himself to the Transcontinental section of the original scheme; and his letter contained no reply to our request for a more general statement as to the whole project, its motives and objects, and the manner in which the company hight have suffered hindrance in carrying out its programme. We accordingly addressed a further communication to Mr. Chamberlin.

In a letter to us dated January 30, 1917, he wrote as follows:—

Letter from the President of the Grand Trunk.

"In replying to the first question asked in your letter 'as to the effect on the Grand Trunk proper of the loss of the $25,000,000 investment,' it is perhaps necessary to repeat to some extent what has already been said from time to time on the subject.

"The advance to the Branch Lines Company—every dollar of it—represents money paid by the Grand Trunk in order to complete the lines, the bond issues having been found insufficient for the purpose, together with interest accruing. These branch lines were intended to be, and have been, important feeders to the parent company, the present financial position of which would have been much worse than it is had they not been constructed.

"The Grand Trunk Railway Company having furnished the money necessary to complete these lines would naturally look upon the confiscation of its investment as a crime. The money was put into it in good faith, in the belief that the Grand Trunk Pacific was largely a national undertaking. That the railway has turned out so far not to be a success is no fault of theirs, but can be attributed directly to the action of the Government in subsidizing competing lines and in many ways enormously adding to the cost of construction. There is not a shadow of doubt that had the course subsequently followed by the Government been known when application for the Grand Trunk Pacific charter was made, that road would never have been built.

"These are the facts as understood by the Grand Trunk directors and shareholders.

"The repudiation of this legitimate indebtedness in any arrangement made with the Government would not only injure the Grand Trunk Company's credit, but might induce a spirit of hostile criticism on the part of investors in Grand Trunk securities in London and New York that might easily react upon the credit of the country.

"The foregoing remarks apply also to the advances to the Saskatchewan Railway.

"The Grand Trunk Pacific Development Company was organized with a view to obtaining, for the Grand Trunk Pacific Railway, terminals and townsites, in order to induce settlers to take up land on the line of the railway. The whole of the common stock was owned by the Grand Trunk Pacific Railway Company. The enterprise was an endeavour to do at our own expense exactly what in the case of the Canadian Pacific and Canadian Northern Companies had been provided by the Government by giving land subsidies. The money advanced by the Grand Trunk Railway Company would have been repaid had it not been for the collapse of land values in the West, owing to the cul-

mination of the boom in real estate. The assets of the company are owned by the Grand Trunk Pacific Railway Company, and the operations of the Development Company accrue entirely to its benefit.

"To the second question asked as to the effect on the Grand Trunk proper should the operation of the Grand Trunk Pacific be left as it is and the former not be relieved from its guarantees, there can be only one answer: it would mean a receivership for the Grand Trunk Company, carrying with it the destruction of its credit for some time to come and the impairment of the credit of the whole Dominion.

"I can hardly add anything to lend additional force to the remarks already made in order to indicate the justice of our claim. If we have been guilty of too much optimism in the inception of the scheme, does not the same criticism apply to the Government which subsidized a railway system to compete with us, its success being dependent entirely upon a large influx of settlers in the West? While this expectation has not yet been fulfilled, it is not unreasonable to hope that it has only been deferred, and that eventually the Grand Trunk Pacific Railway system will prove an excellent national asset."

Mr. Chamberlin's letter in effect charges bad faith, unless the demands made by his company are acceded to by the country. "Confiscation," "crime," "repudiation of legitimate indebtedness," are grave words to be used by the president of a great company in an official communication referring to the action of the Government. The matter could not rest there. A serious situation was created, and one which in our view could not rest on mere affirmation or unsupported opinion.

If the company has been taken advantage of, or in any way deluded or defrauded by the Government, the fair name of Canada requires immediate redress. On the other hand, the country ought not to be called upon to accept, on the ground of good faith, a large loss and responsibility, unless this ground is well established. We accordingly arranged to hold a *viva voce* examination.

Hearing of Grand Trunk Officials at Montreal.

On this occasion, Mr. Chamberlin was given every opportunity to disclose all the grounds on which, as a matter of fairness, the Grand Trunk ought to be relieved of its obligations. No such case has been made out. Still less a case of "repudiation of legitimate obligations."

We have reprinted in full in Appendix "B" to this report, Mr. Chamberlin's evidence. In reference to the National Transcontinental, two new points were raised: (1) That the statutory obligation to route ocean traffic from and to the West via Canadian ports rather than via Portland is injurious to the Grand Trunk, and (2) that the delay in the completion of the western portion of the Transcontinental and the absence of a connection via North Bay caused the Grand Trunk to lose valuable traffic which they might have had in the years of heavy business before 1914. The answer as to (1) is that the company accepted the obligation when it took its Act, and that they have never so far asked to be relieved of it. In respect of (2) there is no ground for holding that the Government undertook any obligation to the company which it failed to carry out. There was indeed a provision in the National Transcontinental Act of 1904 that the Government should so construct the railway that the

section between Winnipeg and Quebec and that between Quebec and Moncton should be completed as nearly as practicable at the same time. But this was a statutory public obligation and confers no contractual right on the Grand Trunk Pacific Company. It may well be that in this and in other respects the Grand Trunk failed to procure the insertion in its agreement with the Government of stipulations which prudence would have recommended.

Grand Trunk Pacific Case.

In respect to the Grand Trunk Pacific proper, Mr. Chamberlin rested his case on the following main grounds: (1) That the Government had, in effect, gone into partnership with the Grand Trunk Pacific and that subsequently it had by subsidies and guarantees enabled a rival (the Canadian Northern) to come into existence; and that this action of the Government was, in view of its position as partner with the Grand Trunk Pacific, tantamount to bad faith; (2) that the simultaneous construction of the Canadian Northern in the same territory greatly enhanced the difficulty of obtaining labour, doubled its price, and also prolonged the period of construction; (3) that a new duty on steel rails was imposed after the Grand Trunk Pacific Act was passed, and that this added $5,000,000 to the cost of construction. Mr. Chamberlin reiterated his strong belief, that his predecessors would never have gone into the scheme, had they known that they would be exposed to Canadian Northern competition.

As to (1) we cannot for a moment accept Mr. Chamberlin's contention. The Government was and is a government, not a mere private partner; and it retained and retains all the attributes of a government, including the power to charter new railways. We cannot suppose that the management of the Grand Trunk were ignorant of this fact when they took the Act constituting the Grand Trunk Pacific Company. Seeing, moreover, that the Canadian Pacific Railway Company had obtained special statutory protection against certain competition, we can hardly believe that their attention was not directed to the matter. Whether they applied for a similar protection and failed to obtain it, or whether they determined that it was useless to apply, we know not. But the point is not important. It is clear that the Government was entirely entitled to do what it did. (2) This no doubt was a fact, which was disadvantageous to the Grand Trunk Pacific; but the company took this risk, as it took other business risks, when it promoted its enterprise. (3) In this case also it is clear from the correspondence between the company and the then Prime Minister, exchanged in the autumn of 1905, that the Government in no way broke faith with the company. The Bill for the Act imposing the duty was introduced three months before the agreement between the Government and the company was signed. The company must therefore have been aware of the Government's intention, and it must be held to have taken its agreement, containing no provision for exemption, with full knowledge of this intention. According to the correspondence, the Prime Minister believed in 1905 that the question of a duty on rails had been more than once discussed at the time of the inception of the scheme; Mr. Hays, for the Grand Trunk Pacific, believed it had never been discussed at all.

The Commission's Conclusions.

Our inquiry has fully satisfied us that the Grand Trunk management was content at the time with the arrangement made; that it deliberately took its business chances, and proceeded with the undertaking. On the evidence there is nothing whatever to justify any charge of lack of fairness or good faith on the part of the Government in its dealings with the company. We have no hesitation in saying that, neither legally nor morally, have the promoters or shareholders of the Grand Trunk Pacific Company any basis for a claim that the country shall make good the Grand Trunk's mistaken investment in the Grand Trunk Pacific. Any aid given to them must be looked upon not as a matter of obligation but as spontaneous bounty.

The question is really so left by the Grand Trunk officials themselves. The record reads (page 176), as follows:—

> "Sir HENRY DRAYTON: Doesn't it really come down to this, that the statements in your letter mean that in your view, in order to protect the finances of the Grand Trunk, and as a corollary to protect the finances of the country, the Government ought to relieve the Grand Trunk in regard to its investment; isn't that the whole thing?
>
> "Mr. CHAMBERLIN: That is the whole thing?
>
> "Sir HENRY DRAYTON: There is nothing else to it?
>
> "Mr. CHAMBERLIN: Nothing else."

The Parent Grand Trunk Company.

We turn to the position of the parent Grand Trunk Company. The proposal of its chairman is that, after they have been permitted to wash their hands of their Grand Trunk Pacific venture, they shall revert to their old position of a local road in Eastern Canada. We cannot think that this is in the interest of the country. We cannot accept the chairman's view that on these terms the company would be "able to fulfil the ever-increasing demands of the public bodies." We do not think that "the credit of the Grand Trunk Company," weakened as it must be by its Grand Trunk Pacific failure, could be "so maintained as to render possible the raising of fresh capital as required." The financial management of the company is not such as to inspire confidence. A few weeks after the chairman's letter acknowledging that the company could not meet their Grand Trunk Pacific liabilities—with short term notes, issued to make advances to Grand Trunk Pacific companies, which those companies evidently cannot meet at maturity, outstanding to the amount of $25,000,000—the Grand Trunk Company paid away $2,500,000 in dividends. And the accounts for the same year, 1915, contain under the head of "capital expenditure" this entry:—

"Discount and commission:—

	£	s.	d.
On sale of 3-year 5 per cent notes.	22,438	5	3
On sale of 5-year 5½ per cent notes.	104,371	11	7
	126,809	16	10"
	(Say $608,604)		

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Grand Trunk Maintenance Expenditure.

Further, the Grand Trunk railway has not been and is not being adequately maintained. No depreciation fund has been created for equipment. Mr. Chamberlin's view, as shown by his evidence, is that 5 per cent on the cost of the equipment ought to be annually charged under this head. He says:—

> "Take engines and cars, they are either worn out or out-of-date in twenty years."

This item, according to his evidence, would have required an annual sum of $2,750,000. He also states:—

> "If we had $25,000,000 now, it would put us in fine shape."

The vice-president in charge of operation, Mr. Kelley, has direct responsibility for the plant. On Mr. Chamberlin's evidence being put to him, he agreed with it. He has since submitted to us a full report on the question of deferred expenditure. "Deferred expenditure" means, in plain English, expenditure which has not been made, but which, in view of those charged with the duty of maintaining the plant, ought to have been made.

We give below Mr. Kelley's summary in tabular form, but we do not think it necessary to reproduce all the supporting tables.

GRAND TRUNK RAILWAY SYSTEM—SUMMARY OF DEFERRED EXPENDITURES.

Rebuilding and reinforcing freight car equipment		$ 8,943,971 14
Rebuilding freight and passenger cars with safety appliances—		
Original estimate	$850,722 50	
Already expended	392,220 89	
Balance to be expended		$ 458,501 61
Equipping engines with safety appliances—		
Original estimate	$ 17,828 00	
Already expended	553 68	
Balance to be expended		$ 17,274 32
Deferred renewals in Maintenance of Way Department—		
In Canada	$ 6,182,672	
In United States	5,578,926	
		$ 11,761,598 00
Total		$ 21,181,345 07

MONTREAL, March 5, 1917.

On the single item of "rails" the "cash expenditure required to restore normal conditions" is reported as $5,312,142. The cost of restoring ballast to normal conditions is reported as $2,434,000.

With reference to the deferred renewals in Canada amounting to over $6,000,000, it appears that they have accumulated during eleven years, 1906-16. During this period, in spite of the requirements of the property, and the claims of public safety, $36,000,000 were paid out in dividends.

Grand Trunk Capital Expenditure Required.

The $21,000,000 dealt with above represent the money which the responsible officers of the company estimate to be required to put the existing plant into good normal condition. This is a revenue liability. But the existing plant is quite inadequate for existing traffic and requires large additions, for which new capital must be raised. The estimates of necessary capital expenditure submitted to us are as follows:—

Requirements for rolling stock, shops and machinery	$ 26,150,000
" automatic block signals (main line in Canada only)	3,533,000
" installing rock ballast crushing plant	467,500
Total	$ 30,150,500

Putting together revenue and capital expenditure, we find that the Grand Trunk Railway, in the opinion of its own officers, requires over $51,000,000 spent upon it to put it in a position to meet the requirements of its to-day's business. We see no reason to expect that under existing conditions this necessary money will be provided.

Effect on Canadian Business.

The effect on the country's business of deficient railway facilities is very serious. It is best shown in a period of stress, whether this stress is due to traffic congestion or is the result of bad weather conditions. February last gives a good example. The traffic was very heavy; embargoes were the rule and not the exception; weather conditions were worse than usual even in winter. The Grand Trunk had handled over the lines in its Ontario district in February, 1916, 318,532 cars. Last February it handled only 195,120. In its Eastern district in February, 1916, the company handled 210,914 cars; and in February of this year only 109,567 cars. This failure has occurred at a period when the demands on the country for food supplies, munitions of war and other articles used by the Allied armies, are extremely heavy. The situation is one which calls loudly and insistently for an immediate remedy.

In fairness to the Grand Trunk, it should be pointed out that congestion inevitably causes a falling off in the volume of traffic handled. Cars which are insistently required for the necessities of life, such as coal, perishable foods, live stock—and under present circumstances munitions—have at all hazards to be got forward. This necessitates greatly increased yard-work and switching. Preferential treatment of any one class of traffic always retards the general movement, and so adds further to congestion.

The Canadian Pacific is a well organized line. Its movement also fell off in Eastern Canada. Its two districts probably most nearly comparable to the Grand Trunk's Eastern and Ontario lines are its Ontario and Quebec districts. In February, 1916, the Canadian Pacific handled in its Ontario district, 92,255 cars, and in 1917 only 80,414 cars. In its Quebec district it handled, in February, 1916, 130,045 cars, and in February, 1917, only 96,464 cars. The resultant percentage decreases are for the Grand Trunk in its Ontario division 39·37 per cent, and for the

Canadian Pacific Railway in its Ontario district 15·58 per cent. For the Grand Trunk in its Eastern Division, and for the Canadian Pacific in its Quebec district, the percentage decreases are 48·5 per cent and 25·82 per cent respectively.

At a later page of this report we refer in another connection to the fact that the Intercolonial has no terminals of its own at Montreal, but uses those of the Grand Trunk. The congestion of February was more a terminal congestion than a rail congestion, and the Intercolonial business out of Montreal was directly affected by the congestion of the Grand Trunk terminals. The Intercolonial movement in the First Division out of Montreal in February, 1916, amounted to 25,446 cars, and for the same month in 1917, to 15,628 cars, a percentage decrease of 38·58 per cent. The Intercolonial system, however, as a whole, had a movement, in February, 1917, of 51,311 cars, as compared with 66,510 cars in February, 1916, a percentage decrease of only 22·85 per cent, while the Grand Trunk for its entire system handled, in February, 1916, 652,358 cars, and in the same period in 1917, 402,133 cars, a percentage decrease of 38·35 per cent.

Commissioners' Recommendation.

The Grand Trunk Company's Board of Directors is 3,000 miles away. We cannot think that the state of affairs which our investigation has disclosed could have arisen, had the Board been on the spot. We are forced to the conclusion that the control of an important Canadian company should be in Canada. But this cannot be secured as long as the Grand Trunk Railway is owned by shareholders in England. We have come to the conclusion, therefore, that the control, not only of the Grand Trunk Pacific Company, but also of the Grand Trunk Company of Canada should be surrendered into the hands of the people of Canada. We recommend that the chairman of the Grand Trunk Company be informed, that it is only on this condition that the Government is prepared to relieve his company of the obligations which it has incurred in respect to the Grand Trunk Pacific. We recur later on in this report to these two companies, in order to set out our recommendations as to their ownership and management in the future, and as to the terms to be offered to the Grand Trunk shareholders.

PART III.

THE CANADIAN NORTHERN SYSTEM.

The system now known as the Canadian Northern began with the acquisition by Messrs. Mackenzie and Mann, in the year 1896, of a charter which had been granted in 1889 by the province of Manitoba to the Lake Manitoba Railway and Canal Company. The charter was for a line, 123 miles in length, from Gladstone on the Canadian Pacific to Winnipegosis. Construction was promptly begun, and

the line was opened in January, 1897. In the same year, 1897, Messrs. Mackenzie and Mann began to construct a line from Winnipeg to Port Arthur, known as the Manitoba and South-Eastern. Shortly after they constructed also the Winnipeg and Great Northern.

These three companies among them received land grants of 4,000,000 acres, and their bonds were largely guaranteed by the province of Manitoba.

In 1899, the Lake Manitoba Railway and Canal Company and the Winnipeg and Great Northern Company were amalgamated as the Canadian Northern Railway Company.

Thereafter, by leases, by absorptions, and by new construction, the Canadian Northern system grew fast in both directions, eastward and westward. As a system it never has had, nor has it to-day, any corporate existence. It was held together by stock ownership. The whole of the common stock of the Canadian Northern Railway Company itself was held by Messrs. Mackenzie and Mann. In the case of the affiliated companies the stock was held sometimes by the parent company; sometimes by Messrs. Mackenzie and Mann in their own names.

Throughout the history of the Canadian Northern construction, the company has depended on public aid, direct or indirect. The development in the twenty years since 1896 has gone through four distinct stages, though chronologically the stages overlap to a considerable extent. In the first stage, the company relied on Provincial guarantees. As it grew larger and more ambitious, it invoked and obtained aid from the Dominion. This was the second stage. In the third stage, the company, having become better known, raised large amounts, by the issue of Perpetual Debenture Stock, and later of Convertible Income Debenture Stock, on its own credit. At no period, as far as we have been able to ascertain, has any actual cash been obtained from the sale of the common stock, either of the parent company or of the constituent or subsidiary companies. With the exception of a French issue of $4,000,000 in December, 1911, practically all the Canadian Northern money obtained by public subscription has been raised in London.

Canadian Northern Position in 1914.

In the fourth and last stage, in 1914, with heavy interest payments to be made and large construction contracts still open, the company found its own resources insufficient. It reported that it required $100,000,000 to complete and equip its system; that it could raise on its own account $58,000,000; and it appealed to the Government to find the balance.

The Government thereupon guaranteed an issue of $45,000,000 of 4 per cent First Mortgage Debenture Stock. Of this issue, $14,600,000 was sold in London at 91½ in July, 1914; and $2,433,333 at 91 in February, 1915. There have been handed back to the Dominion Government $12,500,000 as security for a cash loan of $10,000,000. The remainder (except $133,333 unissued) has been pledged as security for loans in New York. The total proceeds in cash from those sales and pledges were $36,759,265. This sum having proved insufficient, in May, 1916, the Canadian Northern obtained from the Government a further loan of $15,000,000 at the rate of 6 per cent repay-

able on demand, to be used either for construction or to meet interest obligations. In addition, the Government undertook in September, 1915, to lend to the company the money necessary to pay interest either to the Government itself or to the public on the $45,000,000 debentures. And to date, $1,756,000 have been advanced for this purpose.

It will be observed that the first appeal to the Government was some months before the war. No doubt the stringency of the money markets of the world at the time made it more difficult than it otherwise would have been for the company to sell its securities. But that was not all. There was a further cause intrinsic to the company itself. It had gone ahead too fast and had undertaken various expensive schemes, which could not possibly carry themselves from the outset. The Canadian Northern Pacific, the Canadian Northern Ontario, and the Montreal Terminal especially implied very serious commitments. And the Prairie system which was self-supporting and yielded a profit, was not sufficiently developed to carry this weight.

The war, which at the outset paralyzed the business of the country, and which has practically closed the markets of the world to the issue of permanent securities, other than Government loans, for an indefinite time to come, further aggravated the situation. The company, when it applied to the Government early in 1914, reckoned on selling its $45,000,000 guaranteed debentures for $42,000,000. In fact it has only obtained from them $36,759,265 in cash. It reckoned that other securities which it had to sell would bring in $58,000,000; but many of them it has not been able to sell. At present the company is living from hand to mouth, and is nominally borrowing from the Government to pay interest on the Government's own loans.

Canadian Northern Annual Report for 1916.

The report to shareholders for the year ending June 30, 1916, appears to show that, after paying working expenses and fixed charges, the company has a deficit of only $248,127. But this report does not disclose the fact that more than $5,400,000 were paid for interest and charged to capital as part of the construction cost of a system which was all but completed.

According to an estimate submitted to us by the company the fixed charges for the year ending June 30, 1917, will be $16,539,638. Of this the Dominion and British Columbia Governments have undertaken to pay $1,514,507 under certain agreements. This leaves the company to find out of net revenue about $2,500,000 more than it had available this year. An income of $2,500,000 net implies an increase of at least $9,000,000 gross. The company itself does not venture to expect a greater increase of gross than $7,000,000.

The above agreements to pay interest are only for two and three years respectively. In the year ending June 30, 1920, the Government contributions will have fallen to $627,000 and the following year they will have ceased entirely. The company's estimate for the year ending June 30, 1921, is that they will then have fixed charges amounting to $18,300,000.[1] And this burden they will have to bear unaided. To carry it they would

[1]This includes the interest amounting to $2,250,000 on the new capital estimated by the company as necessary to be spent in the five years. This estimate we regard as quite inadequate. If so, the fixed charges will be correspondingly increased.

need (assuming working expenses at the very moderate ratio of 70 per cent), a gross revenue of $61,000,000. We cannot think it safe to assume that any such result will actually be attained.

Canadian Northern Estimate in 1914.

Without desiring to cast any reflection on the Canadian Northern Company, we think that those responsible for its management have taken, and still continue to take, an unjustifiably sanguine view of its possibilities. In 1914, when the company was applying to the Dominion Parliament for the guarantee of $45,000,000 debentures to complete the undertaking, it submitted an estimate for the three years, 1916 to 1918, by Mr. Hanna, vice-president of the company, on what was described as "the very conservative basis of the percentage increase for the past five years." The company added that "inasmuch as a part of the mileage has been disconnected and confined to a local short-haul business, operation as a united trunk line system should result in a much greater per mile revenue."

We reproduce this estimate below:—

	For the year ending June 30.		
	1916.	1917.	1918.
	$	$	$
Gross earnings	54,000,000	61,000,000	67,000,000
Operating expenses	38,880,009	43,300,000	46,900,000
Net earnings	15,120,000	17,700,000	20,100,000
Fixed charges, including interest on securities at present applied for	12,607,115	14,019,615	14,807,115
Surplus	2,512,885	3,680,385	5,292,885
Less interest on 5 per cent income debenture stock	1,250,000	1,250,000	1,250,000
	1,262,885	2,430,385	4,042,885

This estimate showed a margin, after paying $1,250,000 per annum on the 5 per cent Income Debenture Stock, of $1,262,000 in 1916.

The estimate was:—

Gross earnings	$54,000,000
Net earnings	15,120,000

The facts have been:—

Gross earnings	$35,476,000
Net earnings	9,373,000

And there has been a bumper harvest and it is acknowledged that the war has increased rather than diminished traffic. A further fact has been that for the year ending June 30, 1916, after passing the interest of $1,250,000 upon the $25,000,000 Income Debenture Stock, and after charging against capital interest to the amount of

$5,445,389 (less $878,166 paid by the Government under its guarantee) in respect of "lines under construction," the company was still $248,000 short of the money required to meet its bonded indebtedness.

We appreciate that circumstances which could not have been foreseen in the spring of 1914 have arisen to upset the estimates then made. The money was not immediately forthcoming. The full amount estimated as necessary was not obtained, and the terms were more onerous. Prices have gone up. Labour has been scarce and dear. The expected immigrants have not come. The company has sold its ocean steamers. The system, even to-day, is not in the condition that was in the minds of the company's officers when the estimates were made.

But making all possible allowances, we think that those responsible for the estimates of 1914, upon which Parliament acted, have incurred very serious responsibility.

Canadian Northern Estimate in 1917.

In January last the company submitted to us an estimate for the five years, 1917-21. This was as follows:—

—	Year ending June 30, 1917.	Year ending June 30, 1918.	Year ending June 30, 1919.	Year ending June 30, 1920.	Year ending June 30, 1921.
	$	$	$	$	$
Gross earnings	42,590,000	48,185,000	55,410,000	62,300,000	68,460,000
Operating expenses	31,090,000	34,790,000	39,895,000	44,200,000	47,920,000
	11,500,000	13,395,000	15,515,000	18,100,000	20,540,000

The estimate submitted to Parliament by the company for the year to June 30, 1917, was:—

Gross	$61,000,000
Net	17,700,000

The revised estimate now submitted to us by the company is:—

Gross	$42,590,000
Net	11,500,000

The estimate submitted to Parliament by the company for the year to June 30, 1918, was:—

Gross	$67,000,000
Net	20,100,000

The revised estimate now submitted to us by the company is:—

Gross	$48,185,000
Net	13,395,000

We think the new estimate made for us, even though more conservative than the old, is still too sanguine. We see no reason to think that the traffic will increase at any such rate as that indicated. To assume a growth each year of about 11 per cent over the previous year, and simultaneously an operating ratio falling steadily from 73 per cent to 70 per cent, is only once more to invite disillusionment.

Comparison with Canadian Pacific.

We think the following statement of the facts of the last eleven years of Canadian Pacific history is instructive. The table shows for each year gross and net earnings per mile, and also the percentage of operating ratio:—

—	*Gross earnings.	Net earnings.	Operating ratio.
	$	$	
1906	7,026	2,617	62·7
1907	7,890	2,765	64·9
1908	7,573	2,312	69·4
1909	7,726	2,324	69·9
1910	9,425	3,358	64·4
1911	10,072	3,548	64·8
1912	11,453	3,614	64·9
1913	12,263	4,068	66·8
1914	10,977	3,587	67·3
1915	7,993	2,714	66·0
1916	10,024	3,810	67·0

It will be seen that the gross earnings of the Canadian Pacific Railway by no means show a steady growth. There can be no doubt that the drop of the last three years reflects, in part at least, the effect of the new competition of the Canadian Northern and the Grand Trunk Pacific. And the Canadian Northern growth must equally be conditioned by the competition of the Canadian Pacific and the Grand Trunk. It will be seen further from the table that there is by no means a steady growth of net earnings. Nor can we, in face of the constant increase of the operating ratio through a long series of years all over the American continent, in view of the great rise in the cost of materials, especially coal and steel rails, and the insistent demands for increases of wages, think it safe to assume that the operating ratio of the Canadian Northern will show a consistently steady decline in each succeeding year.

Prospective Requirements of Canadian Northern.

The Canadian Northern estimate submitted to us further calculated that, in the course of the next five years, the company will need to spend $12,500,000 of new capital for additions and betterments, and $25,000,000 for new equipment. We consider these estimates entirely inadequate, and especially so in relation to the estimate of 90 per

*Gross earnings include receipts from steamships, telegraphs and other sources not properly attributable to railway mileage.

cent increase in gross receipts. The company has acknowledged that its equipment is inadequate to take care of its existing business. That equipment stands in the company's books at $59,000,000. If the business were to increase 90 per cent, it would seem to need not $25,000,000 but over $50,000,000 spent on new equipment to handle it. Again we refer to Canadian Pacific Railway figures. That company has seven freight cars per mile of line. The Canadian Northern has three. We think it will need five; and this implies an addition of 20,000 cars to the existing stock. This alone would imply, even if prices dropped to those current a year ago, an additional expenditure of something like $30,000,000. And the same thing is true in respect of locomotives. Nor can the estimate of $12,500,000 for additions and betterments, spread over a system of 10,000 miles during five years, be sustained, more especially in the case of a system that is only just emerging from the construction stage. It works out at $250 per mile per annum. It is impossible that the needs of a rapidly growing property can be adequately provided for at any such figure.

We think that $40,000,000 for equipment, and perhaps $30,000,000 for additions and betterments, would be a moderate estimate of the system's needs in the next five years, assuming that the Canadian Northern remains separate and independent.

We sum up the Canadian Northern situation as follows: The company is not at present able, and will not for some years to come be able, to meet its fixed charges. It will, we doubt not, increase its net earnings as the years go by. But the increased net earnings will be fully absorbed for some years to come by the interest on new capital, which must be put in, if the system is to render efficient service. The company has not now, and as far as we can see will not have in the near future, such credit as to enable it to raise the necessary capital. As we have already shown, the public investment, direct and indirect, in the Canadian Northern system amounts to $298,000,000. We do not recommend further public investment in the system, as at present constituted.

Value of Canadian Northern Undertaking.

1. CASH INVESTMENT.

The property investment of the Canadian Northern Railway system is stated in the balance sheet of June 30, 1916, at $494,112,489.34. This figure admittedly has been written up to include $100,000,000 of capital stock. And this stock, as we have already said, was issued without any cash consideration. We have endeavoured to ascertain the actual cost of the system. From the company's official reports and special statements supplied to us, we have ascertained that the maximum cash investment that can have been made in the property is $383,302,451.33.

The following tables, which have been accepted by the company as accurate, show:—

(i) The source of money or credit.

(ii) The disposition of money or debit items.

(iii) A list of bonds of constituent companies assumed.

i. SOURCE OF MONEY OR CREDIT.

Cash realized from securities sold and from collateral loans (pp 205-7 record)		$302,713,872 69
Dominion Government loans of 1914 and 1916		15,878,166 67
Subsidies (not including subsidies of prior organizations) (Q. 4)		28,000,222 50
Land sales (Q 4)		16,603,295 62
Sales of acquired bonds and stock (Q. 8)		618,606 45
From Equipment Trust Securities (Q. 4)	$ 37,233,871 13	
Par value Equipment Trusts issued	$ 39,836,458 20	
Now outstanding	16,862,500 00	
Paid from proceeds of other securities, p. 94	$ 22,973,958 20	
Net amount from equipment trusts		14,259,912 93
Due on construction		16,666,957 26
Audited vouchers and accounts		11,161,443 88
Wages and salaries		1,832,708 23
Matured interest coupons unpaid		2,166,597 75
Accrued interest not yet payable		2,412,673 30
Accrued taxes		250,000 00
Insurance fund account		616,847 53
Railway surplus		2,776,711 03
Bonds assumed in the acquisition of constituent companies		20,215,746 03
		$436,173,761 87

ii. DISPOSITION OF MONEY OR DEBIT ITEMS.

Cash in hand and at bank		$ 25,414,408 50
Materials and supplies		3,368,924 82
Due from companies and individuals		7,276,429 01
Due from agents		1,446,010 67
Deferred land payments		7,140,996 59
Insurance paid in advance		682,906 11
Unadjusted debit items		246,545 00
Securities (dock, lands, and stock yard companies)		1,123,393 55
Sinking funds		248,750 66
Terminal properties and miscellaneous investments		5,922,945 63
		$ 52,871,310 54
Total available for road and equipment	$363,086,705 30	
Bonds assumed in part payment of lines purchased (See list in table 3 following)	20,215,746 03	
		383,302,451 33
		$436,173,761 87

iii. BONDS SHOWN AS OUTSTANDING, BUT FOR WHICH NO PROCEEDS ARE REPORTED AS RECEIVED—PAYMENT ASSUMED BY CANADIAN NORTHERN RAILWAY AS PART OF PURCHASE.

Qu'A.L.L. & S. Ry. & S.B. Co., 4 per cent 1st Mtg. Debenture Stock	$ 5,051,462 90	
Less in Treasury	31,781 80	
		$ 5,019,681 10
Central Ontario Railway, 5 per cent 1st Mtg. Bonds		956,300 00
Bay of Quinte Railway, 5 per cent 1st Mtg. Bonds		830,000 00
Gt. No. Railway of Canada, 4 per cent 1st Mtg. Bonds		3,505,750 00
Quebec & Lake St. John Railway, 4 per cent Mtg. Deb. Stock		4,359,014 93
*Duluth, Rainy Lk. & W. Railway, 5 per cent 1st Mtg. Bonds		2,000,000 00
Halifax & Southwestern, 3½ per cent 1st Mtg. Bonds		4,447,000 00
*Minnesota & Manitoba Railway, 4 per cent 1st Mtg. Bonds		349,000 00
Niagara St. C. & T. Railway, 5 per cent 1st Mtg. Bonds		1,098,000 00
		$ 22,564,746 03
*Less bonds on leased lines not included in Funded Debt—		
Duluth, Rainy Lake and Winnipeg Railway	$ 2,000,000 00	
Minnesota and Manitoba Railway	349,000 00	
		2,349,000 00
		$ 20,215,746 03

From this total maximum of $383,302,451 we deduct the following items, which the company has included in cost of road and equipment, but which do not represent investment in property:—

1. Advances to controlled companies to pay indebtedness for interest subsequent to construction and operating deficits which were capitalized when the system was put together, not less than..	$10,000,000
2. Interest during 1916 overcharged to construction, not less than..	3,000,000
	$13,000,000
Leaving for investment in road and equipment and in securities of constituent and subsidiary companies..	370,302,451

We find then $370,000,000 to be the maximum possible cost of the Canadian Northern system as at present existing. In other words, as indeed is frankly admitted by Canadian Northern witnesses, the Canadian Northern shares represent no cash investment.

2. PHYSICAL BASIS.

But money cost is not all. We decided also to ascertain the approximate value, on the basis of reproduction cost, of the property as it exists to-day. And we rely on Professor Swain's valuation for this purpose. This valuation is, in his opinion, a liberal estimate of the fair cost of reproducing new, at pre-war prices of labour and material, the system at present existing. It includes property belonging to the system at its estimated cost, if it had to be acquired or constructed to-day. And therefore it not only gives the company credit for lands which it in fact owns, even though it obtained them as a grant; but it also credits the company with the increment of land values since the date of the original acquisition. And these two items are quite large.

Professor Swain's method of arriving at his results are fully explained in his report, which is printed as an appendix hereto. He makes the total cost of reproduction new, $397,441,567. From this he deducts for depreciation $40,031,889, making the cost of reproduction of the property in its present condition $357,409,678. This, however, does not include equipment. The equipment was inspected by Mr. Buchanan and, on the basis of his report as to quantities and condition, a valuation has been made by Mr. W. H. Chadbourn, C.E., chief engineer of our valuation staff. He finds the cost of reproduction new at pre-war prices to be $56,590,418, and the depreciation to be $11,250,433, making the present value $45,339,985. Putting the two valuations together, we have $402,749,663 as the fair cost of reproducing the entire physical Canadian Northern system in its present condition. Now the outstanding liabilities (bonds, debentures, notes, and bank and other loans) of the company exceed $400,000,000.

Reckoning on this basis, it appears that the liabilities are practically equal to the reproduction cost of the physical property. But the physical property does not all belong to the Canadian Northern shareholders. There are minority holdings in several

of the subsidiary undertakings. And the Canadian Northern interest in these undertakings only corresponds to its percentage proportion of their respective share capitals. This implies a reduction of more than $10,000,000 in the estimate of the assets belonging to the Canadian Northern shareholders.

We find then that, on the physical basis, the value of the property of the Canadian Northern shareholders is distinctly less than the amount of the liabilities against it. On this basis the equity of the shareholders must be regarded as non-existent.

3. GOING CONCERNS.

A third basis of estimate is the value of the property for sale as a going concern. A purchaser would not consider either original cost or reproduction cost as of much importance. The price he would pay would be based on earning power, present and potential. On this basis he would consider how far the Canadian Northern is at present short of covering its fixed charges, how long it will take to reach equilibrium, how much new capital will have to be spent, how soon a dividend may be expected and at what rate. Calculating on this basis, in the light of the figures set out above, it is evident that no purchaser would offer for the property a sum amounting to the total of its liabilities.

Conclusion as to Canadian Northern.

We conclude, therefore, that the shareholders of the company have no equity either on the ground of cash put in, or on the ground of physical reproduction cost, or on the ground of the saleable value of their property as a going concern. If, then, the people of Canada have already found, or assumed responsibility for, the bulk of the capital; if they must needs find what further capital is required; and if they must make up for some years to come considerable deficits in net earnings, it seems logically to follow that the people of Canada should assume control of the property. We return later to the Canadian Northern Company in order to set out our recommendations as to its ownership and management in the future and as to the terms to be offered to the existing shareholders.

PART IV.

POSSIBLE METHODS OF PUBLIC CONTROL

We recommend that the control of the three companies, Grand Trunk, Grand Trunk Pacific and the Canadian Northern be assumed by the people of Canada. We have therefore now to consider how this control should be exercised.

Government Operation Discussed and Rejected.

We are instructed to consider the acquisition of the Canadian railways by the State, and the possibility of their operation in connection with the Intercolonial.

We do not recommend this course. In our judgment it is not in the interests of Canada that the operation of its railways should be in the hands of the Government. We know no country in the world, where a democratic State owns and operates its railways, in which politics have not injuriously affected the management of the railways and the railways have not had an injurious influence on politics. We do not think Government ownership of the Canadian railways would tend to reduction of rates, but rather in the contrary direction. For the carriage of one ton of freight one mile the Canadian shipper pays at present on the average three-fourths of one cent. On the railways of New South Wales, the oldest and most important Australian State, where the railways have been in Government hands from the outset, the shipper pays well over two cents. But we see no cause to enlarge here on such general considerations. There are several reasons peculiar to Canadian conditions why State ownership and operation should be avoided.

The Canadian Pacific Position.

We think that, if the State took over and undertook to operate the Grand Trunk, the Grand Trunk Pacific and the Canadian Northern, it would be morally bound to offer to purchase the Canadian Pacific also. This company is in a strong financial position; it has assets of great present and even greater potential value, largely exceeding its liabilities; its $260,000,000 of common stock stand at a high premium, and have been very much higher; it pays a steady dividend of 10 per cent; its purchase would be a costly matter; and it does not ask to be purchased or to be helped in any other way. The company is admittedly progressive and gives a good public service. Moreover, it has a large investment in ocean steamships, irrigation, land and coal development schemes, and other enterprises quite unsuited for Government management. But the Canadian Pacific Railway is exposed throughout its whole territory to the competition of either one or both of the other systems. So long as that competition is in the hands of other organizations, also having to earn the interest on their bonds and striving to earn a dividend on their stocks, the Canadian Pacific Railway has no cause for complaint. But competition with railways operated by the Government stands on an entirely different footing. It would be at any time possible for the Government deliberately to adopt a policy of lowering rates, in some part or throughout the territory involved, below a commercial basis, and making up the deficiency out of general taxation. It might be argued that such a policy was justifiable on the ground that the general prosperity and development of the country would be thereby promoted. But while conceivably it might be proper to tax the public to develop the country, though in fact it would not be the whole public but only certain portions of it that would benefit, it could not possibly be fair to impose a special tax upon the Canadian Pacific Railway shareholders for the purpose. And yet it is evident that this would in fact happen. The Canadian Pacific Railway would be absolutely forced to follow any rate reduction made by the Government railways, on pain of losing the business entirely.

Further Reasons against Government Operation.

Another strong argument against Government operation is to be found in the fact that the three great Canadian companies amongst them either own, lease, or control no less than 7,000 miles of railway situated in the United States. And some at least of these lines are necessary economic complements of the Canadian systems. It is clearly impossible that the Dominion Government should be subjected, not only to the regulating authority of the Interstate Commerce Commission and the several State Railway Commissions of the United States, but also to the police regulations of all the States which these lines enter. Technically, no doubt the difficulty could be got over by investing the legal ownership in Government officials under their own names as trustees for the Government. But the practical fact would remain. It would in effect be the Canadian Government which would be ordered by the United States Interstate and State Commissions to alter its rates, and Canadian Government officials who would be required by United States law courts to explain their actions and justify their conduct. We cannot think that such a situation would conduce to international harmony.

A yet more important consideration remains. Canada is at war, and Canadian resources are deeply pledged for war purposes. If the Government takes over the railways, not only does it assume the direct responsibility for the whole existing debt; but all the new money that has to be raised (and as will be shown in a later portion of this report, the amount of this new money must necessarily be considerable within the next few years) will become a direct obligation of the Canadian Government. It is a matter of common knowledge that railway bonds and Government loans appeal to different classes. And we are persuaded that it is desirable that Canada should retain both strings to her bow.

For all these reasons our recommendation is that the idea of Government ownership and operation be not entertained.

Receivership Discussed and Rejected.

Starting then from this position, we have to consider what alternative course is to be adopted. It is clear that neither the Canadian Northern nor the Grand Trunk can at the present moment meet its liabilities. In the United States when a company is in this position it is placed in the hands of a receiver. And at this moment upwards of 40,000 miles of line are in that situation. Under a receivership the holders of the junior securities have to submit to compound their claim, and the fixed charges are reduced to an amount that the net revenue from operation suffices to meet. Ought this drastic course to be adopted here? We think not. We think the security holders of the companies have to some extent a moral claim on the Government. Their schemes of extension have been matters of public knowledge for many years. So far from discouraging them, the Governments, both of the Dominion and of the Provinces, have by subsidy and by guarantee, by loans and cash advances, encouraged them to go on.

But there is more than this. The bonds and debentures of the Grand Trunk Pacific and Canadian Northern have been placed in the main through London with non-

Canadian holders. And these holders in subscribing have unquestionably been influenced by the fact that the companies were backed by the Canadian Government. Technically, of course, the Government has no responsibility beyond that of meeting its own guarantees. But if the two companies went into the hands of receivers, we cannot doubt that investors outside Canada would believe, however erroneously, that the Dominion Government had treated them badly, and that the result would be serious injury to the credit of the Canadian Government, and indeed of all Canadian enterprises. And this result is one that, putting it on pecuniary grounds alone, the Canadian people should in their own interest spend a good deal of money to avoid. We therefore consider that Canada should assume the responsibility of seeing that the interest on these securities is met.

This responsibility is in our opinion unavoidable. But we recognize that it is serious. It will involve considerable financial aid for some years. How many we will not estimate, as it depends in the main on the rate at which Canada develops. And that rate no one can venture to foretell. We ought to point out, however, that the rate at which the Canadian Pacific progressed, when it was the only transcontinental line, cannot reasonably be taken as a standard of the probable rate of progress of two new transcontinental systems, competing, not only with each other, but with the rich and firmly established Canadian Pacific itself.

Transfer to a New Body Recommended.

We have recommended then that the control of the three companies, Canadian Northern, Grand Trunk, and Grand Trunk Pacific pass into other hands; that the rights of the creditors of all three companies be preserved intact; but that the railways of the three companies be not handed over to, or operated by, the Government. It is necessary, therefore, to find some new body or bodies to whom they can be transferred. We think the question, whether there should be one body or more, is answered by the facts that we have already recited. The Canadian Northern is weak in the East. The Grand Trunk, with the inadequate Prairie branches of the Grand Trunk Pacific, would be almost powerless to compete in the West with the Canadian Northern and the Canadian Pacific. The natural tendency of the Grand Trunk and Canadian Northern organizations, if left separate, would be for each to invade the territory of the other. Remaining separate, the Canadian Northern system would need to spend many millions of dollars to obtain an adequate hold on the East in competition with the Canadian Pacific and Grand Trunk. Remaining separate, the Grand Trunk and Grand Trunk Pacific system would need to spend many millions of dollars on new branches in the West, in order to hold its own with the Canadian Pacific and the Canadian Northern. And this money would be needed at once, for till it was spent neither organization would possess a complete system. Canada cannot afford all these new railways, and does not need three competitive systems. We recommend therefore that the three undertakings, the Canadian Northern, the Grand Trunk, and the Grand Trunk Pacific be united in one system. To whom then should its management be entrusted?

Suggested Transfer of all the Railways to Canadian Pacific Discussed.

One possible solution which has been submitted to us we will deal with at the outset. For, though we are unable to recommend its adoption, it has very influential support. This suggestion takes two forms. The one is that the Canadian Pacific Company should, by lease or purchase, obtain control of the other roads and operate the whole Canadian railway system as partner with the Government, on terms to be arranged. The other is that the Government should itself acquire all the roads, including the Canadian Pacific Railway, and employ the organization of that company as a basis on which to build up the organization of the greater system. The first alternative is specially supported from the financial side. And indeed, were financial considerations controlling in this matter, we do not deny that a very strong case could be made for it. The second alternative commends itself more especially to those who feel that the Government is already involved so deeply in railway enterprise that it cannot call a halt, and must go the whole length. We are not prepared to agree with either party. We do not think that a railway monopoly is desirable, either in the hands of a company, or in the hands of the State. We are convinced that the people of Canada who have spent or guaranteed—whether wisely or not, is not now the question—hundreds of millions of dollars, largely with the object of breaking a private monopoly, would never consent to the re-establishment of a still greater monopoly, even if the Government were a partner in the concern. We do not think that there is any necessity for the State to go further than it has already gone in the direction of Government operation. We recognize that the Government occupies in respect of the Canadian Northern and Grand Trunk Pacific roads, very much the position of a mortgagee whose mortgagor is in default. But we do not think that the Government, as a Government, need enter into possession. We think a scheme may be worked out whereby Canada will have two great systems, both with substantially similar management, operating alongside in healthy rivalry from ocean to ocean.

Suggested Transfer of the Whole or a Portion of Canadian Northern to Canadian Pacific Discussed.

Another suggestion has been made which we will deal with here. In our judgment it has even less to recommend it. It is suggested that the lines of the Canadian Northern should be handed over to the Canadian Pacific Railway, on terms to be arranged. We can see no possible advantage to the country in this proposal. It would hand over the lines with the best prospect of development to the Canadian Pacific Railway. It would re-establish what would be a practical monopoly in the Prairie Provinces. It would leave the country to carry the burden, for an indefinite time to come, of the Grand Trunk Pacific, which in its present isolated position has little hope of prosperous development. And it would lead before long to an inevitable result. For the sake both of giving the Grand Trunk Pacific system a fair chance to develop, and in order to break down once more the re-established monopoly of the Canadian Pacific Railway, pressure would be put on the Government to obtain a wholesale extension of the Grand

Trunk Pacific branch lines, for which there is no commercial justification. Capital would be wasted, operating expenses would be duplicated, and the ultimate solvency of the publicly owned lines would be indefinitely postponed.

For the suggestion which has also been made, that the Canadian Pacific Railway be invited to take over the western portion of the Canadian Northern only, there is in our judgment still less, if that be possible, to be said than for the suggestion that the Canadian Pacific Railway take over the whole. It has all the disadvantages of the former proposal. And it has this further disadvantage. The eastern lines of the Canadian Northern have not any very hopeful outlook even under present conditions. If they cease to be the complement of the Canadian Northern prairie lines, they have no justification for existence whatever. And yet it is proposed to leave the country to carry the burden of them.

Possibility of Forming a Commercial Company Discussed.

Assuming, then, that the Canadian Northern, Grand Trunk, and Grand Trunk Pacific must be united into one system, and that this system must remain entirely separate from the Canadian Pacific Railway, we have considered the possibility of forming a new company on a commercial basis, to which the operation of these three undertakings might be transferred. We have come to the conclusion that this course is not feasible under the circumstances, as they at present exist.

THE MEXICAN PRECEDENT.

We have considered what is commonly known as the Mexican scheme. Under this scheme, which was originated by Señor Limantour, the very able Finance Minister of the Diaz Government, the Government, in return for the guarantee of certain bonds and the payment of a nominal amount of cash, acquired possession of a sufficient amount of deferred ordinary stock of the principal railway companies, on which no dividend was likely to be earned in the immediate future, to give them control of the election of the Boards of Directors, and therefore indirectly control of the policy of the companies. Similar partnerships between the public authorities and private companies have in recent years become common in the great German cities for the establishment and operation of gas, electric, and street railway undertakings. The Mexican scheme is understood to have worked very successfully, so long as Mexico remained an organized community. We do not think it applicable to Canada, where the conditions are entirely different. In Mexico the bulk of the money had been raised by the companies on their own responsibility; there was no question of defaulting on fixed charges; the systems were practically complete; and no large amounts of new capital were required. In Canada the bulk of the money has been raised on the responsibility of the Government; the companies cannot meet their fixed charges; the systems are far from complete; and much new capital will have to be provided, which can not be raised by the companies on their own credit. We cannot therefore recommend that the Mexican precedent be followed.

THE NEW YORN SUBWAY PRECEDENT.

There is a precedent in the New York Subways for a scheme under which the railway is constructed and owned by the public authority, and its operation is entrusted to a company, which finds capital to an amount representing the value of the equipment, and takes a lease for a period of years, upon terms that the company receives a return of five or six per cent, as a first charge on the profits, while profits beyond that figure are divided in agreed proportions between the company and the public authority. The New York partnership scheme, however, has reference to an undertaking with every prospect of making a substantial return on the capital involved from the outset. There is no such prospect here. We have to contemplate a condition of affairs in which, for a good many years to come, the operation will not yield a commercial return on the capital already invested. A promise of the whole return, therefore, would not tempt the outside capitalist; still less would the offer of a portion of it. To induce outside capital to come in and share the risk, it would be necessary for the Government to guarantee a return upon it of not less than 4½ per cent or 5 per cent forthwith, and to offer a prospect of partnership in the valuable reversion later on. And seeing that, with the guarantee of the Government of Canada behind it, all the money requisite could be borrowed at 5 per cent without any reversion, the offer of a reversion would be, in effect, to deprive the people of Canada of a portion of the return when they have earned the right to receive the whole.

Further, we have no reason to think that such an offer, even if made, would attract the necessary capital. The speculative investor likes to see his profit in the near future. In this case he would have to wait a good many years before he could expect any return on his money beyond his fixed 4½ or 5 per cent. Under present market conditions, an investor, prepared to take some risk, can do much better for himself than this.

Canadian Railways should be under Canadian Control.

There is yet another reason why we do not think that, even if it were possible, any attempt should be made to form a new company, either on the Mexican or on the New York Subway model. Such a company could not be Canadian. The capital would have to be found elsewhere. And the control would follow the capital. We think Canadian railways should be under Canadian management.

PART V.

THE DOMINION RAILWAY COMPANY.

Government Operation not Recommended.

Having then arrived at the conclusion that the transfer of the three undertakings to a commercial company is not feasible, we recommend that they be handed over to a board of trustees to control and manage on behalf of, and on account of, the people of Canada. The trustees should be organized as a company with a nominal capital. But in effect they would be a public authority.

Before going further we desire to make a fundamental point clear. We express the conclusion to which we have come both in negative and positive forms. We recommend:—

1. That the Government do not acquire or undertake to operate any further railways; but:

2. That these three railways, Canadian Northern, Grand Trunk, and Grand Trunk Pacific, be transferred by Act of Parliament to an independent Board of Trustees (incorporated as a company), constituted as we shall hereafter describe.

These recommendations, from our point of view, hang together and must be regarded as inseparable. We do not recommend the transfer of the three companies at all, unless our recommendations as to the method to be followed are also substantially accepted. That the Government should itself take over the railways, and they should then be operated under the control of a Parliamentary Minister of Railways, is a policy which in our judgment would not be in the best interest of Canada.

Our personal belief is strong that, in normal circumstances, railway enterprise is a matter best left in private hands, subject to proper regulation by the Government. Were we asked to advise in the case of the railways of the United Kingdom or the United States, which have been constructed by private companies, with money found by private investors, we should give effect to this belief. We go further and consider that, in the case of the Canadian Pacific Railway, as to which the Government does instruct us to advise, the fact that it received large help from public sources in its early days, is not any reason why the existing status of the company should now be disturbed. This company has carried out its bargain. It has repaid to the Government large advances made in earlier years. We believe that Canada has had good value for what it has given. We think that it is in the interest of the country that this company should be rich and prosperous, for such companies can be expected, not only to give the best service, but to be best able to provide in time to meet new developments as they arise. We have had no hesitation, therefore, in coming to the conclusion that the status of the Canadian Pacific Railway should be left undisturbed.

But in the case of the Canadian Northern, the Grand Trunk and the Grand Trunk Pacific the circumstances are not normal. These companies have broken down. We

see no way to organize new companies to take their place. Their only possible successor is in our view a public authority. We are confronted with a condition and not a theory.

Recommendation of Independent Board of Trustees.

Our formal recommendations are:—

I. That a Board of Trustees be constituted by Act of Parliament and incorporated as "The Dominion Railway Company."

II. That the ownership of the Canadian Northern, Grand Trunk, and Grand Trunk Pacific Railways be vested in this Company.

III. That the Government assume responsibility to the Company for the interest on the existing securities of these undertakings.

IV. That the Intercolonial (including the Prince Edward Island) and National Transcontinental Railways be also handed over by the Government to the Company.

V. That the whole of these railways, the Canadian Northern, the Grand Trunk, the Grand Trunk Pacific, the Intercolonial, and the National Transcontinental, be operated by the Company as one united system.

Constitution of Board, and Tenure of Office.

We now proceed to set out these recommendations in more detail.

The Trustees should be five in number. The first Trustees should be named in the Act of Parliament constituting the Board.

The tenure of office should be the same as that of judges of the Supreme Court, with the exceptions hereafter noted. Three Trustees, one of whom should be the chairman, should, if possible, be men of railway experience. They should be required to give their whole time to their duties, and salaries should be fixed adequate to command the services of the best men. Of the two remaining Trustees, we think it would be desirable that one should be selected on the ground of business and financial experience, and the other as specially possessing the confidence of railway employees. They should not be expected to give their whole time. Their maximum salary might be laid down in the Act, to be adjusted later when the requirements of the position became evident. Every Trustee on appointment should be required to divest himself of all interest in Canadian railway bonds or stock, and should further satisfy the appointing authority that he has no other interest that conflicts with his duties as Trustee.

All appointments other than those of the original Trustees should be for a fixed period of seven years, except that in the case of a casual vacancy, owing to death or disability or resignation, the appointee should hold office only for the remainder of the term for which the Trustee whom he replaces was appointed.

Every Trustee should be eligible for renomination and reappointment.

Vacancies should be filled, in the case of a railway member, by appointment by the Governor General in Council, on the nomination of a majority of the remaining

Trustees; and in the case of other members, by appointment from a list of three names, similarly nominated. Should the Government refuse to approve a nomination, it should devolve upon the Trustees to submit a new name.

The original Trustees should vacate their positions according to the following scheme: The three railway Trustees should retire after three, five, and seven years, respectively; the order of retirement amongst the three being determined at the date of the Trustees' assumption of office. The two remaining Trustees should retire after four and six years, respectively; their relative position between themselves being similarly determined.

Every Trustee should retire on attaining the age of seventy years.

Board to be Non-political.

We desire to call attention to the extreme importance that the Board should not assume, or even be suspected of assuming, a political complexion. In the United States an attempt has been made to guard against this danger by statutory provision that not more than four out of the seven members of the Interstate Commerce Commission shall belong to the same political party. We do not recommend that this precedent be followed, as we think politics have nothing to do with the matter; and any such restriction might hamper the Government in their choice of best men. But should it be desirable in the public interest to select Trustees of recognized political affiliations, we think it most important that the spirit of the United States legislation should be borne in mind, both by the Government in making the original selections, and by the Trustees themselves in recommending names to fill any subsequent vacancies.

Board to be Permanent and Self-perpetuating—Australian Experience.

We recommend that, subject to the power of the Government to refuse to confirm a nomination, the Board of Trustees should be a permanent self-perpetuating body, and we attach very great importance to this point. The four older States of Australia, New South Wales, Victoria, South Australia, and Queensland have had a long experience of public ownership. In each State the history has been very similar. Originally, the railways were managed under the direct control of a Minister of Railways, responsible to Parliament. In each State, the system was found unsatisfactory. In each State, commissions were appointed, with functions substantially similar to those which we are recommending to be conferred upon the board of trustees. In each State, the result was improvement. But the Australian commissioners were only appointed for five year terms. And the lack of permanence in the commissioner's tenure of office prevented a permanent success. The first years of the commission's term were usually the most successful, for then the commissioners had the freest hand to manage their undertaking on commercial lines. Some of the States have gone through a checkered history. The commission has been abolished; and the management has been transferred back to a political minister. Once more the result has been unsatisfactory; and a new commission has been appointed, only, in turn, to fail of success. The main

cause, as we read the story, has been the lack of permanence of the commission and the short tenure of office of the individual commissioners. We, therefore, think it essential that the Board of Trustees shall be permanent, non-political and, subject to Government approval of each new nomination, self-perpetuating.

Railways not a Proper Subject for Direct Parliamentary Control.

We have given expression to a strong view that the operation of the railways of the country by a department of the Executive Government directly responsible to Parliament would be against the interest of Canada. Lest it should appear that this view implies a reflection on the honesty and ability of ministers and members of Parliament, we desire to explain why we entertain it. Our reason is, not that Government by a Cabinet responsible to a popularly elected Parliament is a bad Government for the ordinary purposes of Government, but that it is not a form of Government suitable for the management of a railway undertaking.

In primitive times all Government was concentrated in a single hand. The king or chief was at once the law-giver, the administrator and the judge. The king as law-giver prescribed duties and established rights; as judge he decided on the interpretation of those rights and duties between the nation, represented by himself, and the individual; and finally as executive authority he enforced his own judicial decisions with respect to the rights which he had himself established as legislator. Centuries ago the progressive nations of Western Europe had outgrown this primitive idea. They had learnt to differentiate functions to the extent of making the judge entirely independent both of the legislature and of the executive government. Even under the absolute despotism of Frederick the Great of Prussia a judge could decide a quarrel between the King and a humble subject in favour of the subject. To say now-a-days that the administration of justice is not a matter to be left to a minister responsible to Parliament, would be to say a thing so obvious as to seem a preposterous truism.

Growth of Extra-Parliamentary Functions of the State.

But the process has gone further. We are learning that there are other matters which it is well to withdraw from the political arena. It has become a commonplace in England within the last generation to say that foreign policy has been "withdrawn from the sphere of party politics." The same thing had in great measure happened before the war in the case of naval administration; it was more and more becoming the rule in the case of army administration also. In other words, in respect of these three vitally important spheres of national activity, though the form of direct parliamentary control was retained, it had come to be recognized, that the affairs were very complicated, that the reasons for action might be good without being such as could publicly be avowed, and that therefore they were best left to experts, carefully selected and then given a mainly free hand. Since the war, public opinion on this question has ripened fast. England and France are countries just as democratically governed as Canada. And in England and France, the fact

that prompt and decisive executive action is inconsistent with detailed Parliamentary control, is being more and more recognized, not only by the public but by Parliament itself. Numerous boards of experts, with an almost entirely free hand, have been set up in England to take charge of different branches of public activity. It cannot be supposed that the lesson learnt in war will be wholly unlearnt when peace returns. It is hardly likely that countries whose constitutions are based on the English model will go as far as the United States, where the Executive and the Legislature are almost entirely independent of each other, where the House of Representatives has no direct control of the Executive Government at all, and where even the Senate can only confirm or refuse to confirm certain appointments, but has no power to secure either the nomination or the dismissal of a single official. But there can be no doubt things are moving in that direction. It is because we think that the management of a railway undertaking, like the control of shipping or of enemy trade, or the work of the Imperial Munitions Board, is a matter that in the public interest is best left to experts, that we desire to avoid direct Parliamentary control.

In this connection it seems desirable to point out that the Prussian railways, certainly the most successful State-operated railways in the world, are not subject to Parliamentary control. The Prussian Parliament has not much control over any department of the Government, but over the railways, owing to the fact that, so far from requiring votes of money, they yearly contribute a considerable net revenue for general State purposes, it has even less control than over other departments. The only check on the action of the Minister of Railways is that afforded by the Railways Councils, to which we refer hereafter, and whose powers are merely advisory and in no way compulsory. In Canada we are recommending, not only that similar Railway Councils should be established, but that the Trustees should also be subject to the orders of the Railway Commission, a body to which Prussia furnishes no analogy.

Private Interests and Public Interest.

The railway touches the life of the country at innumerable points. It can almost make one city and unmake another. It vitally affects the question whether an industry in one place is more or less profitable than in another. Every city wants to become a railway centre, to have railway works located within its limits. And the local member invariably wants it too. Every citizen wants the railway station placed where it best suits his own personal convenience, and wants that every express train shall stop at it. He naturally strives to secure these benefits for himself, and his local member naturally desires to help him in their attainment. The individual citizen, the local member, cannot be expected to see the railway situation as a whole; to appreciate, for instance, that an express which stops at every man's local station ceases to be an express at all. Even if he does appreciate it—human nature being what it is—he will probably be quite content if, by bringing political pressure to bear, he can gain an advantage in which his neighbour at the next station does not participate. It is too much to expect of the average merchant, the average manufacturer, that if he finds that by pressure he can obtain for himself an exceptionally low rate, he will refrain from asking for it, because it gives

him an unjustifiable advantage over a rival, or because he knows that the balance of net revenue must be made up by unreasonably higher rates paid by other people's traffic.

It is only when the management is protected from the pressure of special interests that a railway can be managed in the interest of the public as a whole, that it can be expected that improvements and alterations will be made, even though they injuriously affect certain individuals, because they are justified by greater benefits to the people at large. To take one example. We are satisfied that there are many cases where in the interest of economy, duplicate services should be abolished, and duplicate stations closed. Any such change must injure somebody. Supposing that it results in a saving of $1,000 a year to the taxpayer, while the injury can be measured by a loss of $25 a head to three or four people, clearly the change ought to be made. But if the three or four men can get their grievances voiced in Parliament, while the taxpayer is an abstract entity with no one to speak for him, probably the change will never be made. There is no need to multiply instances. We believe that the history of railways all over the world, where the management is directly under a minister responsible to a democratic Parliament, confirms our position that under such a system the public suffer because special interests obtain concessions at the expense of the community as a whole. It is for this reason that we have emphasized our recommendation that the management of the railways be entrusted to a body independent of politics.

Control of Dominion Railway by Railway Commission.

At the same time we recognize that the non-political body, which we propose to establish, will neither be infallible nor impeccable. We therefore propose to give to the Board of Railway Commissioners the same full judicial authority over all its actions and refusals to act which the Board at present has over the private railway companies. With a board of management appointed on the sole ground of competence, controlled by a commission with power of impartial review, we believe the rights of every citizen to receive fair and equal treatment—and no citizen ought to desire to receive more—will be amply protected. And at the same time the dangers of political influence will be avoided.

Relation between Trustees and their Employees.

It has been a common experience in all democratic countries that, where undertakings are in the hands of public authorities, either national or local, the employees are tempted to use political methods to improve their personal position. We think it important that the Trustees should be protected against pressure of this kind, which would be entirely without justification, if our proposal, that one of the Trustees shall be specially charged to watch over the interest of the employees, is adopted. To obviate the evil, it has often been proposed that employees of the Government shall be deprived of their national vote and employees of a municipality be deprived of their municipal vote. We cannot accept this idea. A State servant does not cease to be a citizen, and he has as good a right to exercise his vote as his neighbour, provided he does not use it to obtain for himself an unfair advantage at

his neighbours' expense. In this matter the Australian experience is of interest. In the State of Victoria there was in 1903 a fierce strike on the State railways. The men by their conduct alienated all public sympathy and were badly beaten. The Victorian Parliament thereupon passed an Act, not indeed disfranchising the railway employees altogether, but depriving them of their votes in their own local constituency; placing them on a separate register, and giving them power to elect, as their special representatives, one member to the Council and two to the Assembly. In 1906 this Act was repealed and superseded by "An Act to abolish separate representation in Parliament of Public Officers and Railway Officers." Section 4, of this Act, which is still in force, is as follows:—

> (1) "In order that all officers may be enabled to render loyal and efficient service to the State, it is hereby enacted that no person or class of persons employed in any capacity (whether permanently or temporarily) in the Public Service (including the Railway Service, the Police Force, the State Rivers and Water Supply Department, and the Lunacy Department) shall either directly or indirectly take any part whatsoever in or in relation to election of members to the Legislative Council or the Legislative Assembly, or directly or indirectly in any way take part in the political affairs of the State of Victoria, otherwise than by recording a vote at a Parliamentary election; and no person or class of persons so employed shall directly or indirectly use or attempt to use any influence in respect to any matter affecting the remuneration or position in the Public Service of either himself or any other person.
>
> (2) "If any person so employed is guilty of any contravention of this section, then on proof thereof to the satisfaction of the Public Service Commissioner, the Commissioner of Railways, the Chief Commissioner of Police, or the State Commissioners and Water Supply Commissioners, or the Inspector General of the Insane (as the case may be) such person may by the said authority be fined any sum not exceeding £10 and may be reduced in class, subdivision, grade or status, and salary, or he may be dismissed or his services may be dispensed with, provided that such person shall not be dismissed or have his services dispensed with for any contravention of this section without the consent of the Governor in Council."

We should hope that the employees on the Trustees' railways will be content to make any necessary representations as to remuneration or conditions of service through the member of the Board specially charged to watch over their interests, and will not attempt to exercise political influence. But should this hope ever be disappointed, we feel confident that public opinion would fully support any Government which introduced and passed a law based on the Victorian precedent.

Incorporation of the Dominion Railway Company.

The Board of Trustees should be incorporated, either directly by Act of Parliament, or by Royal Charter under the authority of the Act, as the Dominion Railway Company with a nominal capital. We assume a capital of $50,000, divided into 500 shares of $100 each. Each trustee would hold 100 shares. These shares would be entered in the register as held in the joint names of each particular Trustee and the Minister of Finance for the time being. The Trustee, being named first, would

be entitled to the vote; but he could not transfer his shares without the signature of the Finance Minister. The charter would provide that no share could be transferred except to a duly appointed Trustee, and that the shares were held in trust for the Dominion.

Transfer of Stocks to Trustees.

In order to give to the Board of Trustees control of the railways mentioned, the following stocks should be transferred to them:—

1. *Canadian Northern.*—The $40,000,000 common stock vested in the Canadian Government should be assigned by the Government to the Trustees, and also (subject to what we report below as to compensation for existing equities) the $60,000,000 still remaining in the hands of private persons.

2. *Grand Trunk Pacific.*—The whole of the common stock should be transferred without payment, except that the actual cash paid for the shares other than those held by the Grand Trunk Company should be refunded.

3. *Grand Trunk Company.*—The whole of the stock, guaranteed, first, second and third preference, and ordinary, should be transferred. We deal later with the question of the claims of the existing holders.

Transfer of Railways to Trustees.

Intercolonial and National Transcontinental.—We recommend that these railways be handed over by the Government to the Trustees. There would be no securities to be transferred, and no money to be paid. The authority of Parliament for the transfer would suffice. We give at a later stage our reasons for this recommendation.

THE CANADIAN NORTHERN SHAREHOLDERS.

We return to the question what, having regard to all the circumstances of a very difficult case, is fair as between the Government and the Canadian Northern shareholders. One point must be dealt with at the outset. Assertions and insinuations have been widely made that public money received by the firm of Mackenzie and Mann have been appropriated by Sir William Mackenzie and Sir Donald Mann to their own use. And these gentlemen are understood to be the holders of the bulk of the Canadian Northern stock. If this charge were true it is evident that they would have no equitable claims.

Charges of Misappropriation Unfounded.

We are satisfied that the charge is unfounded. During our inquiry at Toronto on February 26 and 27, we inquired fully into the matter, and examined on oath Mr. Hanna, Vice-President, and Mr. A. J. Mitchell, Comptroller, of the Canadian

Northern system. Both these gentlemen are intimately acquainted with its complicated finances. They gave their evidence fairly and frankly, and in our judgment with an honest desire to make full disclosure on every point on which we sought information. They called our attention to the report of the Government Auditors made to the Solicitor General of Canada on April 22, 1914, which is printed in the Sessional Papers of that year (Nos. 269*b*, *i*, *j*, *l*, *m*). The relevant passage is as follows:—

> "We would particularly draw attention to statement No. 2, being a declaration from the Comptroller of the Contractors, Messrs. Mackenzie, Mann and Company, Limited, that the contractors have made no profit on their work for the Canadian Northern Railway, other than certain fully paid common stock which is set out in a statement in our previous report. This declaration is borne out to our satisfaction, from our investigation of the books of said contractors, and also of those of the company."

The *viva voce* evidence which we reproduce amplifies and entirely confirms the report of the Government auditors.

> "Mr. MITCHELL: In addition to that, Sir Henry, in connection with construction, there are no contractor's commissions on any of the actual construction. The work was turned in to the railway company at cost.
>
> "For instance, there is actual construction representing something like $204,000,000, in which there is no percentage whatever to the contractors. It was turned in at actual cost.
>
> "Sir HENRY DRAYTON: How would that be done, what machinery would apply to that work? How did you do it?
>
> "Mr. MITCHELL: The work was done by the contractors, Messrs. Mackenzie, Mann and Company, Limited, and it was billed to the company at actual expenditure. The vouchers were all turned in.
>
> "Sir HENRY DRAYTON: Was there no allowance for the Force Work Account?
>
> "Mr. MITCHELL: Actual expenditure only, as far as Mackenzie, Mann and Company, Limited, were concerned. They were reimbursed for what they had paid out on pay-rolls.
>
> "Sir HENRY DRAYTON: Generally those pay-rolls and that sort of thing cover the usual and proper charges. You were doing it, in effect, under "force" work?
>
> "Mr. MITCHELL: Yes, sir, but instead of getting a 10 per cent commission they got the stock of the Canadian Northern Railway. That was the payment the contractors received instead of a cash consideration.
>
> "Sir HENRY DRAYTON: The contractors themselves, some of them at any rate, would be acting as superintendents in charge of the work, carrying it on, besides which there would be all the overhead expenses?
>
> "Mr. MITCHELL: Yes.
>
> "Sir HENRY DRAYTON: Those expenditures would be included?
>
> "Mr. MITCHELL: For instance, the Canadian Pacific Railway, we will say lets a contract to Foley and Company to do certain work. They in turn let the work to some one else, who in turn will probably let it to station men. Foley

and Company would get their commission. On a large contract they would perhaps work on a 5 per cent or an 8 per cent basis.

"In place of that 5 per cent or 8 per cent basis which the Canadian Pacific Railway would pay to Foley and Company in cash, the Canadian Northern paid Mackenzie, Mann and Company, Limited, in stock.

"Sir HENRY DRAYTON: You say there was no allowance at all for superintendence and that sort of thing in these accounts, which is generally covered by the 5 per cent or 8 per cent?

"Mr. MITCHELL: Not any for the main contractors; there was nothing allowed for them.

"Sir HENRY DRAYTON: Sir Donald Mann gave a great deal of his own time. Do you mean to say he was not paid for that?

"Mr. MITCHELL: That was all gone into by the Government in 1914, Sir Henry.

"Sir HENRY DRAYTON: We have it in connection with that large item of $200,000,000—or that sum is near enough. Your idea is that all that large item (it is a large sum, of course) so far as the $200,000,000 for the construction of the road is concerned, as a matter of fact no profits were obtained by the main contractors, Messrs. Mackenzie and Mann Company, Limited, and that the only profits taken out were the profits of the sub-contractors?

"Mr. MITCHELL: That is it.

"Sir HENRY DRAYTON: Who were the sub-contractors?

"Mr. MITCHELL: There were many of them, I guess all the big contractors in Canada and the United States.

"Sir HENRY DRAYTON: Your own affiliated interests, were they sub-contractors?

"Mr. MITCHELL: No, sir, not as far as I know.

"Commissioner ACWORTH: You say this was all gone into by the Government. I am a stranger to it, of course. Was it a preliminary inquiry?

"Mr. MITCHELL: Yes, sir.

"Sir HENRY DRAYTON: In connection with loans in 1914.

"Commissioner ACWORTH: But was this question of the contractors gone into?

"Mr. MITCHELL: The Government appointed three auditors, who came to Toronto and went through the books of the Canadian Northern from the beginning. Those auditors made a full report to the Government, which is covered by the contents of the Government blue-book.

* * * * * * * *

"Sir HENRY DRAYTON: To complete the evidence in connection with the construction of lines, there is one question I should ask you. The Canadian Northern itself is a constructing company practically, is it not?

"Mr. HANNA: Yes. We are doing all our construction work.

"Sir HENRY DRAYTON: Most of the construction is being done through Messrs. Mackenzie, Mann and Company, Limited, on the basis Mr. Mitchell spoke of?

"Mr. HANNA: Yes.

"Sir HENRY DRAYTON: Most of the activities of the officers would be concerned, outside of purely operating branches, with construction work?

"Mr. HANNA: We had other officers, whose main duties were to attend to construction only.

"Sir HENRY DRAYTON: I suppose Sir Donald Mann, the Vice-President, was in charge of construction?

"Mr. HANNA: He charges himself with that work.

"Sir HENRY DRAYTON: Sir William Mackenzie himself did a great deal of it too?

"Mr. HANNA: He did, and did the financing.

"Sir HENRY DRAYTON: While they may not have taken profits as contractors, didn't the company properly remunerate them for their services?

"Mr. HANNA: Not to the extent of one dollar.

"Sir HENRY DRAYTON: So that they worked without salary?

"Mr. HANNA: Absolutely so.

"Sir HENRY DRAYTON: That is a case of being too modest, because it is not business.

"Mr. HANNA: That has been the experience of those two gentlemen. Neither one of them was ever on a Canadian Northern Voucher List to the extent of a dollar.

"Sir HENRY DRAYTON: Nor of any of their subsidiaries?

"Mr. HANNA: Not one.

"Sir HENRY DRAYTON: So that while they were working on construction work, neither the company nor anybody else paid them any profits at all.

"Mr. HANNA: That is right."

The result of our inquiries leads us to the conviction that both Sir William Mackenzie and Sir Donald Mann had a firm belief in the ultimate success of their undertaking, and in their own ability to carry it to a successful conclusion.

It was therefore obviously in their interest, as owners of all the common stock, that the road should be as well located and as economically constructed as possible. And they did their utmost to attain this end. The success of their endeavours may be judged from the fact that Canadian Northern construction from Tollerton (120 miles west of Edmonton) to Vancouver cost $88,629 per mile, while the construction of the Grand Trunk Pacific from Wolf Creek (on the opposite side of the Athabaska river from Tollerton) to Prince Rupert cost $112,000 per mile. It is true that the Canadian Northern had the benefit of the "tote" roads built by the Grand Trunk Pacific between Pembina river and Resplendent, as the Grand Trunk Pacific was first in the field; but as against that it had to face higher costs of labour and material. We believe that, speaking generally, one consideration may be set off against the other. Again, the cost of construction of the Canadian Northern from Port Arthur east to Montreal can be compared fairly to the cost of the construction of the National Transcontinental from Winnipeg to Quebec. The cost of the Canadian Northern was $52,602 per mile, including in this amount interest at 5 per cent during the construction period, but excluding the Montreal passenger terminal. The cost of the National Transcontinental was $93,735 per mile, including interest at 3 per cent down to December 31, 1914, but excluding the cost of the Quebec bridge.

Canadian Northern Successes and Failures.

The mistakes that have been made by the proprietors of the Canadian Northern lie in unnecessary duplication of lines and in reaching out into territories offering but a poor traffic return, rather than in errors or extravagances in actual construction.

Our conclusion of the whole matter is that the moneys required for Canadian Northern construction have been raised with considerable financial skill at very moderate rates of interest, that the construction has been economical, but that the completion of the system as a separate system would involve a very large capital expenditure on branch lines and terminals in eastern territory, and a large duplication of existing facilities; that it is impossible for the company, unaided, to complete its venture: and that it is absolutely vital to the interest of the country that further duplication should cease.

Under these circumstances, have the Canadian Northern shareholders any claim to compensation? Not, we think, as of right. But Governments in the past have not taken a stand on strictly legal grounds in their dealings with other companies. There are grounds on which similar action could be justified in this case. The company has done much to develop the Prairie Provinces. Its lines there are well located, economically constructed, and valuable for public service. Of the later constructed lines also we can say that they have been well located from the engineering, if not from the traffic standpoint, and economically constructed. And if in recent years the Canadian Northern shareholders were carried away by a wave of unreasoning optimism, at least it may be said for them that almost the whole population of Canada shared their expectations. We think that, on the whole, the equity of the case would be met, if the Canadian Northern shareholders were permitted to retain a moderate portion of the $60,000,000 of shares which they now hold.

Arbitration Recommended.

But under the scheme we propose, the Trustees will operate the Canadian Northern lines as part of a combined system. It will be impossible, therefore, for the Canadian Northern Company, as such, ever to earn a dividend on its separate stock. We suggest that, if it is decided to permit the present shareholders to retain a portion of their holding, the Act of Parliament constituting the Board of Trustees shall contain a provision for arbitration between the Trustees and the Canadian Northern Company and establishing an arbitration board to act forthwith. The Trustees should appoint one arbitrator and the Canadian Northern shareholders the other, and the two arbitrators should agree on the appointment of an umpire; failing agreement, an umpire should be appointed by the Chief Justice of the Exchequer Court; and the decision of the board should be final.

The arbitrators should be empowered to decide two questions:—

(1) What proportion of the Canadian Northern common stock may fairly remain the property of the present holders;

(2) What proportion of the earnings of the Dominion Railway Company may fairly be regarded as attributable to the Canadian Northern lines.

To illustrate our meaning, we will assume that the arbitrators decide that 5 per cent of the Canadian Northern shares shall remain the property of the existing holders,

and further decide that one-half of the total earnings of the Dominion Railway Company will be fairly attributable to the Canadian Northern lines. Then their decision will mean that, out of any dividend declared in future by the Dominion Railway Company, 2½ per cent (one-half of 5 per cent) will be payable to the existing Canadian Northern shareholders or their transferees. We think the arbitrators should fix this resulting percentage once for all. It should be made a condition of the settlement that the minority shareholders of the Canadian Northern should by deed irrevocable appoint the trustees as their proxy to vote their shares. Care will of course be taken to provide that the Arbitration Board shall have regard only to the Canadian Northern lines, as they exist at the date of the passing of the Act, and that any subsequent increase of revenue due to the expenditure of additional public money shall be excluded from consideration.

THE GRAND TRUNK SHAREHOLDERS.

The position of the Grand Trunk Company is entirely different from that of the Canadian Northern Company. The Grand Trunk Company has five different classes of shareholders; the Canadian Northern has only common stock. The Grand Trunk shares represent—to what extent it is now almost impossible and quite useless to ascertain, for the company is over sixty years old—actual cash paid; the Canadian Northern shares represent no cash, only a possible reversion. The Grand Trunk Company has always paid dividends on some classes of stock; the Canadian Northern common stock has never even had the prospect of an immediate dividend. The Canadian Northern has been economically constructed and is moderately capitalized. The same cannot be said either of the Grand Trunk or Grand Trunk Pacific. The Canadian Northern has a capital of $54,961 per mile; the Grand Trunk of $127,340; the Grand Trunk Pacific of $98,018. Evidently the two companies cannot be treated alike. Evidently also the rights of the five classes of Grand Trunk shareholders differ widely as between themselves. We have come to the conclusion that it is impossible for us to determine these respective rights; that any compensation made to the shareholders for the surrender of their shares must be made, not to them, but to the company as a whole; and that the directors of the company must assume the responsibility of preparing a scheme of equitable apportionment between the different classes, and procuring the assents and the legal authority necessary for bringing the scheme into force.

Dealing with the matter on this basis, we have to consider how the fair compensation to the company is to be arrived at. The report of the company for the year ending December 31, 1915, contains a statement of the share capital as follows:—

STATEMENT of Stock and Share Capital Created Showing the Proportion Issued 31st December, 1915.

Description.	Amount Created or Sanctioned.	Amount Issued.	Amount Unissued.
	£ s. d.	£ s. d.	£ s. d.
Four per cent guaranteed stock	12,500,000 0 0	12,500,000 0 0	
First preference stock, 5 p.c.	3,420,000 0 0	3,420,000 0 0	
Second preference stock, 5 p.c.	2,530,000 0 0	2,530,000 0 0	
Third preference stock, 4 p.c	7,168,055 4 6	7,168,055 4 6	
Total, Preference Stocks	25,618,055 4 6	25,618,055 4 6	
Ordinary Stock	24,797,761 2 7	23,955,436 17 3	842,324 5 4
Grand total	50,415,816 7 1	49,573,492 1 9	£842,324 5 4

The total issued may be taken in round figures as $240,000,000. It will be seen that roughly one-half is preference and one-half ordinary stock. The London Stock Exchange valuation of this nominal $240,000,000 is at the present time something like $70,000,000 or $75,000,000—ranging from about 56 for the 4 per cent guaranteed stock, which for ten years has received its dividend in full (except in one year when it went one-half per cent short), down to about 10 for the ordinary stock, which has never received a dividend. The table below shows the dividend history of the last ten years:—

GRAND TRUNK RAILWAY of Canada—Dividends Paid.

Year.	Guaranteed.		5% First Preference.		5% Second Preference.		4% Third Preference.		Total.
	%	$ cts.	%	$ cts.	%	$ cts.	%	$ cts.	$ cts.
1906	4	1,520,404 60	5	831,428 64	5	615,244 16	3	1,046,036 84	4,013,114 24
1907	4	1,638,952 95	5	831,428 64	5	615,244 16	3	1,046,036 84	4,131,662 59
1908	4	1,861,121 49	5	831,428 64	2½	307,622 08			3,000,172 21
1909	4	1,915,522 07	5	831,428 64	5	615,244 16			3,362,194 87
1910	4	1,960,171 50	5	831,428 64	5	615,244 16	½	174,339 47	3,581,183 77
1911	4	2,080,161 11	5	831,428 64	5	615,244 16	1½	523,018 42	4,049,852 33
1912	4	2,351,148 07	5	831,428 64	5	615,244 16	2½	871,697 36	4,669,518 23
1913	4	2,417,871 06	5	831,428 64	5	615,244 16	2½	871,697 36	4,736,241 22
1914	3½	2,129,166 67							2,129,166 67
1915	4	2,433,333 33							2,433,333 33
		20,307,852 85		6,651,429 12		4,614,331 20		4,532,826 29	36,106,439 46
10-year average		2,030,785 28		655,142 91		461,433 12		453,282 63	3,610,643 94

It will be seen that the average amount paid in dividends has been $3,600,000 per annum. So the Stock Exchange valuation practically capitalize the dividends on 5 per cent basis. And this, in a rapidly developing country, might be reasonable, if the dividends had been earned and could be maintained. But in view of the statement of the company's own officers that $21,000,000, which ought to have been spent out of revenue for maintenance has not been so spent, it cannot be contended that the dividends have been earned. In view of the further fact that the company has to face

immediate liabilities of over $5,000,000 per annum in connection with the Grand Trunk Pacific, and of the statement of its own officers that a capital expenditure of $30,000,000 is immediately required on its own lines to put the company in proper condition to do its existing business, it can still less be contended that the dividends are maintainable. It cannot therefore be expected that the Trustees should acquire the stock from the shareholders on the basis of past dividends. Even if the Government were to relieve them entirely, as suggested by their president, of their unfortunate Grand Trunk Pacific venture—and as we have already said, we cannot think that this request can be reasonably justified—it is evident that the Grand Trunk Company is not, and will not be for some time to come, in a position entitling it to pay out any money at all in dividends. We regard the entire share capital of the company as being intrinsically of but small value at the present time. On the basis of present value of maintainable income the fair compensation would be very small.

Terms of Purchase Recommended.

But we do not think that this is the only basis on which the people of Canada should proceed. We think this is a case for generosity rather than strict justice. Canada is under obligations to the Grand Trunk shareholders, who, in the early days, with but small Government assistance, and in competition with the railways of the United States with their vastly greater resources, built up the first Canadian railway system. In later times the company has had further to meet the competition of heavily subsidized Canadian rivals. And it cannot be said that at any stage of its history the shareholders have obtained excessive profits on their enterprise. On the whole we recommend that, on condition of the surrender by the Grand Trunk Company of their entire share capital, guaranteed, preferred, and ordinary, the Trustees grant a certain annuity, charged as a working expense on the whole undertaking of the Dominion Railway Company, for the first seven years, increasing at the termination of that period by something like 40 or 50 per cent. We have left the figures blank as there will be questions of cash in hand, value of stores, etc., which must make the precise figure subject to negotiation. But our meaning is that the first figure should be a moderate but substantial percentage of $3,600,000 (the average dividend payment for the last ten years).

Real Value of Grand Trunk Property.

We appreciate that shareholders outside Canada, who can hardly be expected to be fully conversant with the management of their property, will not only fail to see any generosity in this proposal, when it is first made to them, but will believe they are being treated with less than justice. We think it therefore well to set out here in summary form the result of what has been set out at length in previous pages of this report.

1. The revenue of the Grand Trunk applied to dividend has been, on the average of the last ten years, $3,600,000.

2. To catch up arrears of maintenance, $21,000,000 must be spent immediately. This sum is nearly equal to six years' dividend payments.

3. To prevent arrears again accumulating, future maintenance charges must be much heavier than in the past; not less than $2,500,000, according to the President's judgment, on equipment alone.

4. To put the property in proper condition to deal with existing business, $30,000,000 of new capital needs to be spent at once. Even supposing the company could raise this capital, and only had to pay 5 per cent for it, it would cost an additional $1,500,000 per annum.

And this is on the Grand Trunk lines alone, independently of the company's liabilities in respect of the Grand Trunk Pacific. These further liabilities, amounting to over $5,000,000 a year at the present time, and increasing in the near future to over $7,000,000, need not be again detailed. The chairman of the Grand Trunk in his letter to the Prime Minister of Canada, dated December 10, 1915, has stated: "Under present circumstances it is quite impossible for the Grand Trunk Railway Company to meet the extra liabilities arising from the Grand Trunk Pacific Railway." And in his evidence at our inquiry in Montreal on February 24, 1917, the president of the Grand Trunk stated, not only that it was an impossibility for his company to carry out their contract, but that it always had been impossible. And yet there is no question of the company's legal liability on the contract. And it is the Grand Trunk Company that is primarily responsible for the initiation of the Grand Trunk Pacific enterprise.

THE INTERCOLONIAL AND NATIONAL TRANSCONTINENTAL.

We have recommended that the Intercolonial and National Transcontinental Railways be handed over to the Trustees. And this recommendation we make for various reasons. We are opposed, as we have already said, in principle, to Government operation, and this principle applies to these railways just as much as to the Canadian Northern, Grand Trunk, and Grand Trunk Pacific. But, apart from general principles, there are many strong arguments for the transfer in the special circumstances of the case.

Transfer of National Transcontinental Recommended.

Dealing first with the National Transcontinental it is evident the line cannot be left as it is. Its very name implies that it was built as a National Highway from ocean to ocean. It cannot be left to terminate in a dead end at Winnipeg. Its prospects of becoming a paying concern, and making to the people of Canada an adequately financial return for the $160,000,000 they have invested in it, are not very good in any case, but its prospects are hopeless if it terminates at Winnipeg. Winnipeg is primarily a collecting and distributing, rather than a producing centre. What it does produce, goes mainly westward. The Canadian Pacific Railway can collect and distribute in the West; it can collect and distribute in the East; it has its own ocean ports and cross-Atlantic connections; and the whole of its traffic between East and West it will carry over its own road, between Winnipeg on the one hand, and Toronto, Montreal and the ocean ports on the other. Exactly the same thing must happen in the case of the Dominion Railway Company, once the Canadian Northern, Grand Trunk, and Grand Trunk Pacific companies are combined into one system. If the National Transcontinental Government Railway is left out of this system, it will starve.

Transfer of Intercolonial Recommended.

IN THE LOCAL INTEREST.

We recommend the transfer of the Intercolonial on three practical grounds: the interest of the Maritime Provinces; the interest of the Canadian taxpayer; and the interest of the railway undertaking itself.

Speaking generally, the growth of the Maritime Provinces in the last twenty years has been slower than that of the rest of Canada. And yet raw materials are readily accessible, and wages are certainly as low as elsewhere. Now a large and important part of these provinces is served only by the Intercolonial; the Intercolonial is merely a local line, terminating at Montreal, and with no direct connection with the markets of Ontario and the West; and the Maritime Provinces have suffered from this isolation.

The recent congestion on the Intercolonial has clearly demonstrated the inadequacy of its facilities to cope with its business. Either it must construct its own terminals at Montreal, which would cost not less than $10,000,000 to $15,000,000, and would be a further instance of unnecessary and wasteful duplication of facilities at the public expense, or it must have access as of right to the Grand Trunk terminals, where at present it comes in only subject to the primary regard of the Grand Trunk for its own business. That it is in the interest of the inhabitants of the Maritime Provinces to be served, not by what is after all only a glorified branch, but by a great through system opening up to them all the markets of the country on an equality with Montreal, Toronto, and the other manufacturing centres, admits of no doubt. And it is in the interest of Canada also, for if one member of the body gains all the members gain.

The absorption of the Intercolonial in the Dominion Railway Company would further afford the opportunity for redressing a hardship from which the Maritime Provinces at present suffer. The Intercolonial pays no local taxes, and this exemption should cease. It never, in our opinion, had any justification. A municipality, whose streets are subject to the burden of Intercolonial railway crossings, has precisely the same claim to treat the railway as a ratepayer and assess it for local taxes, as if the crossings belonged to the Canadian Pacific Railway. Exemption of public institutions used for purely public purposes may perhaps be justified; but in the case of a railway, local taxes are as much a part of operating expenses as transportation or maintenance charges; and they ought to be paid, whoever may be in control of the railway operation.

We are aware that there is a widespread impression in the Maritime Provinces that the Dominion Government is implicitly pledged to give them low rates. Lest there should be any fear that these alleged rights might be interfered with, we think the Act of Parliament should provide that no general increase of the local rates at present in force on the Intercolonial shall be made by the Trustees without the previous assent of the Railway Commission.

IN THE GENERAL INTEREST.

Secondly, we recommend the transfer of the Intercolonial in the interest of the Canadian taxpayers. The capital cost of this railway, according to the returns of the Department of Railways and Canals for 1916, is $106,312,705.25. To pay interest on this investment the railway ought to earn a net revenue of, say, $5,000,000. It has indeed recently been ingeniously argued that it ought to have earned interest at a commercial rate from its first inception, and that all the interest that it has not earned during its whole existence ought to be capitalized and compounded to ascertain the real cost of the railway to the people of Canada.

We cannot accept this somewhat fantastic argument. If this theory were accepted, it is manifest that a similar course ought to be followed in the case of ordinary railway

companies. Interest which, of course, has never been paid, ought to be calculated in the same way, on all the cash subsidies which private lines have received and on the value of all the land grants which they have obtained, and all this ought to be carried into an imaginary account on which imaginary earnings ought to be obtained. Further, the capital account of every railway company ought to be recast in the same way, so as to carry forward into the account the money that ought to have been paid for dividends on the share capital, in years when either no dividends or only insufficient dividends were in fact paid.

Whatever question there may be as to the propriety of endeavouring to earn interest on capital, it will hardly be questioned that the line ought to be so managed as at least to earn operating expenses, including therein a proper allowance for taxes. And even ignoring the early history of the undertaking, and considering merely the years from 1889-1916, during which the greatest advance has taken place in Canada, and the traffic of Canadian railways has shown the greatest increase, the Intercolonial has paid no taxes and still not earned operating expenses. During this period the total operating deficits reported amounted to $11,188,885.50. The total operating surpluses amounted to $1,651,239.73. In addition, however, there was, in the years 1912-16, an amount of $3,046,406.86, charged to working expenses and devoted to renewals, which under the accounting methods in force before that date would have been credited to surplus. Adding together these two latter figures, and deducting them from the deficit, we find that in the twenty-eight years from 1889-1916 there was an accumulated deficit on operation of $6,491,232.91.

And this is not all. Down to the year 1908 no charges were made against revenue for necessary renewals and replacements. Now, when the plant is added to and improved, it may be right to charge to capital the excess cost of the addition. But charging to capital the cost of mere renewals and replacements cannot be justified. From 1908 till 1911 there was charged to operating expenses, under the head of renewals of rolling stock, rails, and ties, the sum of $510,000 per annum. But this was quite an inadequate allowance, as is shown by the fact that since then, in addition to the annual $510,000, the further sum of $3,046,406.86, already mentioned, has also been charged to renewals.

The result of charging such items as renewals to capital account is clearly shown by the growth of the cost of the railway per mile of line. In the case of a new line, with constant extension of territory and the necessity for new terminals and increase of equipment, such a figure may not prove much. But in the case of an old-established property like the Intercolonial, it certainly, in part, indicates operating losses and improper capital inflation. The return of mileage for the year 1899 shows 1,315 miles, with a cost per mile of $37,957.36. For 1911, the mileage is shown to be 1,455, and the cost per mile is returned as $57,419.87. In thirteen years, therefore, the capital cost of the system per mile had been increased on the system's books no less than 51·27 per cent. During the same thirteen years, surpluses of $1,594,954.64 and deficits of $3,915,193.39 were reported. It is obvious that the surpluses were illusory and the deficits much greater than returned.

Since 1911 the cost per mile has further increased, but this is largely due to expenditure in connection with the new Halifax Terminals, legitimately charged to capital.

And since 1912 that the proper practice of charging renewals to working expenses has been adopted.

IN THE INTEREST OF GOOD MANAGEMENT.

Lastly, we recommend the transfer of the Intercolonial in the interest of the undertaking itself. We have no doubt that it will be better operated as part of a great system than it ever can be as an independent property. It is not to be expected that able and ambitious men will do as good work on a mere local railway, with scant opportunities of advancement or distinction, as when they have the chances of promotion which a great system affords. If their prospects are bounded by the horizon of the Intercolonial, they will either grow slack or carry their services elsewhere. We have already referred to the economy which can be effected by the establishment of joint terminals in Montreal. And the same thing is true in the matter of equipment. A nation-wide system can average its provision of rolling stock, and meet temporary shortages in one place from temporary surpluses in another. A small concern can only provide rolling stock to meet maximum requirements, on condition of having a surplus standing idle for the greater part of the year.

Minor Recommendations.

We think the Trustees should not be required to accept the responsibility for various undertakings connected with the railway lines transferred to them, such as, for example, the Grand Trunk Pacific Dry Dock at Prince Rupert, and the proposed harbour improvements at Halifax. We would leave the Trustees to settle by agreement with the Government the list of property not to be transferred to them.

In the case of some of the constituent companies[1] of the Canadian Northern, of which the Canadian Northern Quebec is the most important, the parent company, though in every case it has a controlling interest, does not own all the shares. We think the Trustees should at an early date, by agreement or by legal procedure, take steps to acquire the outstanding shares. This is desirable, not only to avoid possible conflict of interest hereafter, but also to avoid any necessity for keeping separate accounts.

We find that the title to certain property which is used for railway purposes has not yet been vested in the Canadian Northern. It was among the conditions on

[1] The list is as follows :—

Railway.	Total Share Capital.	Held by or on behalf of Canadian Northern.	Held Outside of Canadian Northern.	Percentage.
	$	$	$	
Canadian Northern Quebec Railway Co	9,550,000	{ 2,000,000 } { 5,144,600 }	2,405,400	*a*74·7
Quebec and Lake St. John Railway Co	4,524,000	4,002,800	521,200	88·46
Duluth, Winnipeg and Pacific Railway Co... .	6,000,000	3,060,000	2,940,000	51

There are also outstanding small amounts of from 500 to 3,000 shares in other companies. But these are presumably only directors' qualifications.

*a*The Canadian Northern Railway Company owns $2,000,000 stock of the Canadian Northern Quebec directly; it also owns 71.9 per cent of the stock of the Northern Consolidated Holding Company, Limited, which owns $5,144,600 stock of the Canadian Northern Quebec.

which the Government loan of $45,000,000 was granted in 1914, that this should be done. We pointed the omission out to Mr. MacLeod, the company's general manager, who stated that it was merely on oversight, and that the intention was that all titles should be got in.

In cases where the title has not been got in, it is, we understand, in the hands of affiliated interests. We say "we understand" because in the limited time at our disposal we have not attempted to have search made of all the different titles involved. It is clear, however, that all lands on which there are Canadian Northern rails, whether main or siding tracks, or switches leading to its elevators, or team tracks, aught to be vested in the company, and not left in the hands of any affiliated interest or constituent or a subsidiary company, even although the Canadian Northern Company may have a stock control of the company.

We think that the Act should vest in the Canadian Northern Railway Company all lands which have actually been put to the purposes of the railway system, subject to all equities (other than those of any of the affiliated companies, or of Messrs. Mackenzie & Mann, Limited, or of those gentlemen in their personal capacities) outstanding at the date of the publication of this report.

We think that the Act should also refer to the Exchequer Court for arbitration the question of all other outstanding equities, if any. It is of course manifest that, to the extent to which outstanding claims may be found to exist, reductions would have to be made in the valuations which we have placed upon the assets of the Canadian Northern Railway Company.

The Trustees will also have to consider at an early date the position of the holders of the Canadian Northern 5 per cent Convertible Income Debentures. These debentures to the amount of $25,000,000 were placed in London, in the years 1911 and 1912, some of them at a considerable premium, and the company obtained more than $24,000,000 in cash for them. The trust deed under which they were issued charges them upon the assets of the company subject to existing charges, but entitles the holders to receive interest only from income if earned. Since June, 1915, no interest has been paid. The Dominion Government in 1914 recognized that in respect of capital those Income Debentures rank in front of the Government's own loans. But the income on them is not being earned. Nor is it likely to be earned, at any rate in full, in the proximate future. The fact, however, that they are a charge upon the assets, or rather upon certain assets, and upon the income, if earned, of the Canadian Northern or some portions thereof, might cause complications in the operations and accounts of the unified system. And we think that on its own merits their case is entitled to sympathetic consideration. We think that the Trustees should negotiate a settlement with the holders, on the basis of substituting for their right to 5 per cent in the indefinite future a right to receive either a lower rate of interest, say, perhaps 3 per cent, from the date of vesting the Canadian Northern in the trustees; or in the alternative, say, 1 per cent at once, 3 per cent after a certain date, and 5 per cent from and after a date still further postponed.

Legal Position of Trustees.

The Trustees would hold the Intercolonial and Transcontinental lines as legal owners of the physical property, and they would hold the Canadian Northern, Grand

Trunk, and Grand Trunk Pacific through their ownership of the capital stock. The existence of these three companies, and also of their various subordinate companies, would nominally continue unchanged, and there could consequently be no question of the disturbance of the rights of the bond and debenture holders.

OPERATION OF DOMINION RAILWAY COMPANY.

So soon as the railways above specified have been transferred to the Trustees, we recommend that they should proceed to operate them under their own control. Some time must necessarily elapse before all the transfers are made. But we see no reason why the Trustees should not take charge of each railway as soon as the arrangements for its transfer are completed. The ultimate purpose, to be kept in mind from the beginning should be that all the railways should be operated as one system. For purposes of day to day management there should, we think, be established an Operating Committee, as members of which the Trustees should have power to add to themselves not more than four officers having the rank of vice-presidents. Sitting in this committee, these officers should have votes equally with the Trustees. But all matters of policy and finance should be reserved for the Trustees alone. We would leave it to the future discretion of the Trustees whether they would operate the railways as a single system from one centre, or whether they would constitute two, or it may be more, grand divisions.[1]

Finance of Dominion Railway Company.

Under the scheme which we recommend the Trustees will enter into possession of a complete and self-coutained system of 20,000 miles. The present fixed charges amount to about $34,000,000 per annum, or $1,700 per mile. If we allow another $6,000,000 for annuity to Grand Trunk shareholders, for composition with Canadian Northern Income Debenture holders, and for interest on new capital required immediately, there will be at the outset fixed charges of roughly $40,000,000 or $2,000 per mile. In respect of the 3,777 miles of this system which are comprised in the present Government Railways there will not be a single dollar of bonded indebtedness. And this fact will be of considerable help to the Trustees in their necessary financing. We assume that, in addition to the purchase of equipment by means of equipment trusts, it will be necessary to raise a good many million dollars for improvements and betterments, some of which, such as a new Grand Trunk yard at Niagara Falls, are very urgently needed at the present moment. We suggest that a General and Refunding Mortgage be created, charged first upon the Intercolonial and Transcontinental lines, and secondly upon all the remaining lines of the system, subject to the existing mortgages. The amount of the mortgage should be unlimited. The rate of interest on each issue should be determined at the time the issue is made. We do not think that an express guarantee of the Government would be required. For the Intercolonial, which has no bonded indebtedness is now

[1]We understand that the Canadian Pacific Railway had at one time independent operating and traffic vice-presidents, for the lines East and West respectively; but that of recent years this has been changed; and that now the whole system is controlled from one centre, and that the Canadian Pacific Railway Board are satisfied that the change has been an improvement.

earning a substantial net income, and when it becomes part of a great system we cannot doubt that this net income will increase. In any case the guarantee should be unnecessary in a comparatively short time. For a system of 20,000 miles in a rapidly developing country should be able, before many years are out, to carry unaided bonded indebtedness, which would not, we estimate, need much to exceed $2,000 per mile.

Operation to be on a Commercial Basis.

We have recommended that the Intercolonial and the Transcontinental lines should be handed over free of cost for the reasons which we have given above. But we think it should always be borne in mind, both by the trustees and by the public, that the real capital of the new system includes the cost of these lines. In other words the trustees are responsible for a return, not merely on the capital of the companies' railways acquired, but also on the capital invested in the Government railways. For though the Government railways have no separate capital account, properly so called, their construction has cost the people of Canada $276,000,000, and the people of Canada are paying interest on this amount every year out of the general taxation of the country.

We would go further and lay it down in terms in the Act of Parliament creating the Board of trustees that it was the duty of the trustees to operate their system as a commercial concern, and to make no general reduction in rates, unless ordered so to do by the Railway Commission, until interest at a reasonable rate was earned on the whole capital value of the undertaking. And this for two reasons. We believe that the obligation to work the system as a commercial concern in competition with a well established and well equipped rival will be a stimulus to efficient and economical management. And further we think that reductions, in favour of certain classes of business and certain commodities, which bring the railway rates below a reasonably remunerative basis, are wrong in principle. Their effect is to conceal the fact that a bounty is being given to certain persons and certain places at the expense of the community at large. If bounties are to be given, as to which it is not for us to express an opinion, we think they should be openly voted by Parliament, and not given under the disguise of a railway rate reduced to an unremunerative basis.

Wide Powers to be Given to Trustees.

We consider that, subject to the jurisdiction of the Railway Commission, the trustees should have the widest powers in the management of their undertaking. They will have to decide how best they can secure both efficiency and economy by combining what have been hitherto competing systems. They must decide what new connections can be made to provide shorter routes; which lines shall be operated as main lines and which only as branches; in what cases two single lines can be used as one double line; where new extensions can be profitably built; how new capital can best be provided; whether any of the existing lines shall be, at least temporarily, abandoned. But they should always keep in mind that the intention is, not to establish local monopolies, but to maintain reasonable competition between their system and that of the Cana-

dian Pacific Railway. They must have discretion to say how far net profits are imperatively required for railway purposes, and how far they may be safely taken to pay a dividend on the share capital. In a word, we would entrust to the trustees all the responsibilities and powers which in an ordinary company are divided between the directors and the shareholders. We believe that the desire to render the best possible account of their stewardship to the people of Canada will be a sufficient motive to induce them to manage the railways efficiently and economically.

Financial Responsibility of Government.

We have recommended that the Government should assume responsibility towards the trustees, but not directly towards the present holders, for the interest of all the securities charged on the new combined system. We cannot attempt to forecast with any accuracy what that liability will be, but the following table which we have compiled shows the results for the year ending June 30, 1916, of the operation of the various undertakings which we propose should be put together.

FROM REPORTS TO DEPARTMENT OF RAILWAYS AND CANALS, JUNE 30, 1916 (EXCEPT G.T.P. BRANCH LINES).

—	Can. Northern.	Grand Trunk.	Grand Trunk Pacific.	G. T. P. Branch Lines.	Intercolonial.	Transcontinental.	Total.
	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
Operating revenues	35,476,275 06	39,155,040 10	6,963,188 88	1,319,599 16	15,686,661 91	5,798,516 09	104,399,281 20
Operating expenses	25,244,186 12	28,782,012 69	5,902,843 30	1,370,133 51	13,323,183 16	5,360,061 58	79,991,420 36
Net operating revenue	10,232,088 94	10,373,027 41	1,060,345 58	Loss 50,534 35	2,363,478 75	129,454 51	24,407,860 84
Outside operations			10,588 55				10,558 55
Taxes	741,508 11	853,596 39					1,595,104 50
Operating income	9,490,580 83	9,519,431 02	1,070,904 13	Loss 50,534 35	2,363,478 75	429,454 51	22,823,314 89
Other income		3,634,123 65				37,680 84	3,671,804 49
Gross income	9,490,580 83	13,153,554 67	1,070,904 13	Loss 50,535 35	2,363,478 75	466,135 35	26,495,119 38
Interest on funded debt	9,885,153 14	7,644,631 07					17,529,784 21
Other charges	506,010 29	2,415,539 70			167,214 29	808,750 86	3,897,515 14
Dividends		†2,433,333 33					2,433,333 33
Total income deductions	10,391,163 43	12,493,504 10			167,214 29	808,750 86	23,860,632 68
Surplus and loss for year	Loss 900,582 60	660,050 57	*1,070,904 13	Loss 50,534 35	2,196,264 46	Loss 342,615 51	Surplus— 2,633,486 70
Profit and loss items	267,885 85						Deduct— 267,885 85
							Surplus— 2,365,600 85
Add interest to be provided for	5,445,389 56		6,668,084 04	538,760 16			12,652,233 76
Add Estimated loss, Prince Edward Island Railway							250,000 00
Total to be provided							12,902,333 00

* Before charges. † Div. on guaranteed stock.

From this table it will be seen that there was a nominal surplus of income over expenses and fixed charges of $2,365,000. But the above figure took no account of interest which had to be provided for on the Canadian Northern, Grand Trunk Pacific, and Grand Trunk Pacific Branch Lines, amounting together to $12,650,000; nor for a loss of some $250,000 on the operation of the Prince Edward Island Railway. The total of these items is $12,900,000. Deducting the surplus, it would appear that, if these railways had been in the hands of the trustees for the year ending June 30, 1916, and if all the capital charges had been met out of income, the trustees would have had to call upon the Government for about $10,500,000 to make up the deficiency.

We assume that the results for the year ending June 30, 1917, will not be greatly different. Gross receipts may rise, but operating expenses are rising fast, more especially owing to the high price of coal, the severe weather, and the congestion of traffic. When the trustees assume office they will have to face, in addition to the present interest charges, the cost of settlement with the convertible income debenture holders of the Canadian Northern, of the annuity payable to the Grand Trunk shareholders, and the interest on the capital necessary to complete the system and to make urgently needed betterments and additions. Further, for reasons we have already given, we do not consider that the Grand Trunk dividend is a real net surplus. It ought to go back into the maintenance of the property. On the other hand, the economies resulting from the amalgamation of the Canadian Northern, Grand Trunk, and Grand Trunk Pacific systems ought to be very large, as soon as time is allowed for the elimination of wasteful duplications. We do not venture to predict; but we should hope that the economies will at least balance the additional charges for new capital.

If then we take as a starting point a deficiency of roughly $12,500,000 a year; if we assume that this will not seriously increase for the next year or two, but will not, on the other hand diminish; then in order to reach a position of solvency, the Dominion Railways would need to earn an additional gross income of some $50,000,000, and to retain one-quarter of that amount as net. The present gross income is well over $100,000,000; and it is not unreasonably sanguine to hope that it may increase 50 per cent in the course of six or seven years, if Canada continues to progress at a normal rate. But that depends, not on railway management, but on the incalculable future.

We do not make any detailed estimates either of probable earnings or of probable reductions in operating costs to be obtained by the trustees' system. We have, however, every confidence in the country, its resources and possibilities.

The Canadian Pacific has been and is a great success. Combined under a common management, with one evenly balanced transcontinental system in the place of two disjointed ones, with adequate branches both in the West and in the East, we are confident that in the not far distant future the success of the Canadian Pacific ought, at least to a very large extent, to be repeated. The Dominion Railway at an early date should have an operating revenue as large as that of the Canadian Pacific. With proper economic and politically undisturbed management, the attainment of a satisfactory financial result is only a question of time.

Specimen Economies Resulting from Combination.

We will not risk embarrassing the future management by enumerating possible economies in detail. But it is clear that very considerable savings can be made by the amalgamation of duplicate outside and local agencies; by joint stations and joint service at many points; by coupling up the Prairie branches so as to afford the shortest outlet to market centres and the like. Great economy can also be secured in operation of the through traffic. East of Winnipeg this will require a small amount of new capital expenditure. We understand that the land between Cavell station on the Transcontinental and Longue Lac station on the Canadian Northern lends itself to cheap and easy railway construction. The distance is 35 miles. By the construction of this short link, a great saving of operating mileage can be made, and the best portions of both systems utilized. By the combinations of the Transcontinental from Winnipeg to Cavell, the new link from Cavell to Longue Lac, and the Canadian Northern forward from that point, a route superior from every point of view to the existing routes can be formed for Toronto businesss. The Winnipeg-Toronto mileage by this route would only be 1,197 miles. This is shorter than any of the three existing routes, which are as follows: Canadian Pacific, 1,232; Transcontinental and Grand Trunk, 1,256; Canadian Northern, 1,309. The combined route will also greatly improve the handling of traffic from Port Arthur to all points on the Transcontinental east of Cavell. This traffic at present is hauled back to Superior Junction, 188 miles to the northwest, before it starts on its eastward journey. And at present much of the coal used on the line follows this roundabout route. For grain sent east from the Port Arthur elevators to Quebec and beyond, the combined route will also offer better facilities than either line could afford separately.

Similar economies can be secured west of Winnipeg, without any expenditure beyond that necessary for coupling up closely adjoining tracks. The Winnipeg-Vancouver route can be shortened 40 miles. We need not multiply instances or attempt to translate the resulting economies into dollars. It is sufficient to say that the mere running expenses of a through freight train are not less than 80 cents a mile. Fifty miles means $40. Multiply this by 365, and there is a saving of nearly $15,000 per annum on each train, sufficient to pay the interest on $500,000 Grand Trunk Pacific 3 per cent Dominion guaranteed bonds. And this is only the mere running cost, and takes no account of other transportation expenses or of the reduction of maintenance expenses due to ceasing to maintain superfluous tracks.

PART VI.

THE DOMINION AND THE PROVINCES—PUBLICITY—GENERAL.

Railway Commission Control.

We have referred more than once in this report to the Board of Railway Commissioners for Canada, and have recommended that the system of the trustees should

be subject to their jurisdiction. We attach great importance to this recommendation. Hitherto this Board has had jurisdiction only over the railways that are in the hands of companies. It has had no jurisdiction over Government lines. We think that this distinction cannot be justified, and that the Commission should have jurisdiction over all railways other than those operating solely under provincial charters. The public may from time to time have just cause of complaint against the management of any railway. It is not right that any one, even a Government official or a public trustee, should be judge in his own case. Moreover, unless the final decision in matters of rate policy and the like is in the hands of a single authority, there may be in Canada two conflicting policies at the same time. There is yet another reason on which we would lay stress. Railway policy is a sealed book to the ordinary citizen. Why tariffs should be fixed as they are, why the train service should not be arranged so as better to suit his individual requirements, why cars cannot always be available for everybody everywhere, he cannot understand. The normal attitude of the public towards the railway management, whether in the hands of a company or a Government, is one of mistrust, if not of active hostility. It is a good thing both for the railway itself and for its patrons to bring the management out into the open; to have the reasons why such and such conditions exist, why certain concessions demanded cannot reasonably be granted, frankly explained in public. If there is nothing else gained, it is a great thing to have brought the complainant and the railway officer face to face. Even when they fail to agree, they are likely to understand each other better in the future.

Commission to Report on Charters.

In a second respect also we recommend that the jurisdiction of the Railway Commission should be enlarged. Charters for new railways are granted by the Dominion Parliament in great numbers. In the years from 1900 to 1908, 116 charters were granted for 37,862 miles of line. Only 453 miles were actually built. In the two following years there were granted, according to a statement made in the Senate by the Hon. Mr. Davis, on April 6, 1910, respectively, 68 charters for about 68,000 miles, and 75 charters for about 75,000 miles. We think that no charter should be granted till the proposals made have been investigated by the Commission, and the Commission have reported whether or not, in their opinion, the construction of the proposed line would be for the public advantage. The opinion of the Commission will not necessarily bind the action of Parliament. But Parliament, before deciding, should have the benefit of the advice of an expert and impartial authority.

And on Subsidies and Guarantees.

We think also that no subsidy or guarantee should be granted except after a similar report from the Commission; and that no subsidy or guarantee should be voted in any session, unless it has been provided for in the financial budget of the year; and unless a substantial deposit of cash or securities has been made by the promoters, to prove the bona fides of their application.

Overlapping of Dominion and Provincial Control.

Cases have occurred in the past and may again occur in the future, in which railways are chartered by Provincial Governments, competing with railways under Dominion charters, and so withdrawing from the latter some portion of the traffic required to secure the solvency of their line. This is not in the public interest. It cannot be for the general advantage of Canada that a provincial charter should be granted, and in most cases also provincial financial assistance given, with the result in the first place of withdrawing traffic from a road with a Dominion charter, and so forcing that road to fall back upon the guarantee which has to be met out of the general taxation of the country; and secondly, of placing upon the province a burden of guarantee which the province subsequently finds itself unable to bear, and which ultimately it has to throw back upon the Dominion itself. The Dominion Government, when the Canadian Northern applied for the large loan of $45,000,000 in 1914, was confronted with the possibility, if not probability, that some of the provinces would default on their guarantees as the result of the entirely disproportionate liabilities which they had assumed.

It would perhaps be difficult for the Dominion and Provincial authorities to agree upon such an amendment of the British North America Act as would for all time prevent the recurrence of such a situation as occurred in 1914, as a result of the provinces deeply pledging their credit, not for an intra-provincial, but for an extra-provincial undertaking, clearly outside their proper ambit. The Dominion Government ought, however, to use the existing powers of the Act. The policy should be laid down that, so soon as any provincial legislature incorporates a railway, it becomes the duty of the Railway Commission forthwith to investigate the necessity in the public interest of its construction; and further, in cases where financial aid by guarantee or otherwise is given by the province, to ascertain what provision has been made for meeting the liabilities which may thereafter accrue. The Commissioners should with all speed report their findings and the evidence on which they are based to the Governor General in Council. And in any case in which it is found that the railway is not required in the public interest, or that guarantees have not been accompanied by proper financial provision, the Governor in Council should exercise his undoubted prerogative and disallow the provincial Act. It is necessary for the sake of the credit of the provinces as a whole to make sure that no province with a population of less than 400,000 shall again take the responsibility for a guarantee of $40,000,000 in respect of a single undertaking.

We think also that a single company should not be under duplicate control. Take for instance the Canadian Northern main line. If it is not for the public advantage of Canada as a whole, it has no justification for existence. Yet the portion of the line in British Columbia was constructed under a British Columbia charter; and a small section of the line in Saskatchewan under a Saskatchewan charter. It cannot be reasonable in principle that one portion of the through route should be regarded as of general advantage, while another portion of the same route, feeding it and being fed by it, is regarded as of only local interest. And from the point of view of practical administration it is highly inconvenient. We recommend that, in

respect of all future charters, the Dominion Government come to an understanding with the Provincial Governments that a railway company shall be either wholly national or entirely local. In other words, neither provincial charter nor provincial aid should be given to companies or subsidiaries of companies already possessing a Dominion charter; and on the other hand Dominion aid should only be given to companies with a Dominion charter.

We further recommend that there be conferred on the Commission power to prescribe minimum as well as maximum rates, so that reckless and unfair competition may be prevented. A railway that gives to any members of the public a service below cost is unfairly discriminating against the rest.

Audit and Publication of Accounts.

We think it is of great importance that adequate accounts and statistics should be kept and published. We consider that the Board of Trustees should keep and furnish to the Railway Commissioners, and publish for general information, exactly the same accounts and statistics as the other railway companies are required to furnish. Further, we think the accounts of the Board of Trustees should be continuously audited by a firm of public accountants, appointed by the Finance Minister. This firm should be selected from those with special experience of railway work. And they should not only conduct a financial audit in the strict sense, but should be instructed to advise the trustees from time to time what improvement in accounting methods can be introduced, and what special investigations of cost can be undertaken with good hopes of economics resulting. It is within our knowledge that modern methods of cost accounting are at the present time being applied to railways on this continent with considerable success. And we feel that in taking over the management of so large an undertaking, with a mileage exceeding that of any railway system in the world except that of the Prussian State, the Trustees should have the benefit of the best and most up-to-date advice obtainable. The auditors should make a full report to Parliament once a year on the financial status of the Dominion Railway.

The Railway Commission should in each year submit to Parliament the accounts received both from the Dominion Railway and from the other railway companies and should accompany them by a report of their own. This report should set out in as simple and concise a manner as possible the financial relations between the Dominion Railway and the Government, so that every citizen may have a clear idea once a year what total amount of taxation he is called upon to pay for railway purposes. The report would naturally divide the total charges into subsidies, guarantees, and other suitable heads. And these charges should be taken up into the general budget of the Finance Minister as a separate and distinct entry. Any subsidies or guarantees given by the Government to railways other than those comprised in the Dominion Railway system should be included by the Finance Minister in the same statement. It must be for the Government and the people of the country to decide how much money they will find out of the general taxation for their railways. But, in order that they may decide rightly, it is essential that they should have full information, and that it should be brought before them in an easily intelligible form.

At present railways operating solely under provincial charters are under no obligation to make returns to the Dominion Ministry of Railways. Consequently there is no complete record of the entire railway activities of the country. We think that the Dominion Government should come to an understanding with the Provincial Governments that returns should be made to the latter by their local companies in the same form as is required in the case of Dominion companies, and that copies of these returns should be filed also with the Dominion Government.

Railway Councils.

There is another matter that we desire to bring to the attention of the Government and the Trustees. In several countries in Europe, more especially in Prussia, there has been developed with great success an organization of Railway Councils. These councils are both National and Regional. The National Council in Prussia is composed of: (1) official representatives of the Government Departments specially concerned with railway questions, the Ministers of Communications, Commerce, Agriculture, etc.; (2) of representatives of Chambers of Commerce, of Agriculture, of Mines, and other persons competent to speak for large sections of railway customers. The Regional Councils are of a similar constitution, but on a smaller scale as benefits their local limitations. These Councils meet twice a year or oftener, and discuss a prepared agenda with the chiefs of the railway service. They are competent to deal with questions of rates and fares, facilities, extensions, improvements and all other matters affecting the public interest. They have no executive powers whatever. They can only criticize, dissuade, or recommend. But the universal testimony of competent observers is that the system is a success; that the influence of the Councils is considerable, and the result harmony and absence of friction between the railway administration and the public.

We do not think that the time is ripe for the formal organization of a similar system in Canada. But we think the central idea is valuable. And we suggest that the Trustees, when they get into harness, should consider the propriety of calling a conference of representatives of merchants, manufacturers, agriculturists, mine-owners, etc., and discussing with them all such questions as involve the interests of the public as well as the railway. And we think the Canadian Pacific Railway should be invited to join the conference. If the experiment proves a success, it will no doubt be repeated. And we should hope it would ultimately result in a permanent organization.

Railways in Excess of Existing Requirements.

We feel that we ought to draw attention to another important point. There are now three trunk lines in existence running from Winnipeg through the comparatively empty country north of lake Superior. There is very little traffic, and not much prospect for its early development. The through traffic will be shared, in what proportion the future must decide, between the three routes. But we may assume that the Canadian Pacific Railway will be able to retain on its own through route all the traffic which it itself originates. And the two new routes will only get the

balance to carry. It cannot, we think, be expected that this balance will be sufficient for a good many years to come to make these two lines self-supporting. It seems to have been generally assumed that they would afford an important outlet for the grain of the Prairie Provinces. Evidence that we have had before us seems to show that only quite a small fraction of the grain exported from these provinces has hitherto followed the rail even as far as Montreal. The proportion that goes through all the way by rail to the Atlantic seaboard must be even smaller. And there seems no reason to suppose that this proportion will vary to an important extent. For a difference of something like 10 cents per 100 pounds between the charges for rail carriage and water carriage respectively—and this we understand to correspond to the normal state of affairs—will always enable the water routes to retain their hold on the traffic. It follows therefore that an increase of 100,000,000 bushels of wheat exported from the prairies might only mean an increase of 2,000,000 bushels, that is 2,000 carloads, or fifty train loads, of railway traffic. This conclusion is borne out by statistics of the Canadian Pacific Railway, from which we find that in the year 1911, out of a total revenue on the Lake Superior Division (the line between Fort William and Sudbury), amounting in round figures to $12,000,000, less than $900,000 were earned from the carriage of grain and flour, including grain and flour for local consumption as well as for export, while $6,100,000 were earned from other freight, and $5,000,000 from passengers, mail and express.

To show how much traffic is required to fill a railway up to its capacity and to enable it to pay interest on its cost of construction, we have made the following calculation. The Minister of Finance stated in Parliament on May 15, 1916, that in the eleven months ending February 2, 1916, which included the record harvest of 1915, Canada exported 180,000,000 bushels. This is equal to 5,400,000 tons of grain. We will assume that the whole of this grain went from Winnipeg to Fort William-Port Arthur. There were three roads to carry it. This gives 1,800,000 tons available for each road. Assuming the trains to run with an average net load of 1,200 tons—and in fact they usually carry much more—each road would need to run 1,500 trains, or for the eleven months an average of only 4½ trains per diem. Evidently, even under the quite exceptional conditions of the harvest of 1915—and how exceptional this was, is sufficiently shown by the fact that in the corresponding eleven months of the preceding year the export was only 90,000,000 bushels, or just half—the three railways would not be worked to anything like their maximum capacity. Let us see what the net earnings would have been. We take the average rate for the carriage of grain as 4·2 mills per ton per mile, and we will assume an operating ratio of only 66 per cent. Then the net earnings would have been 1·4 mills per ton per mile. And, as 1,800,000 tons went over each road, the net earnings would have been 1·4 mills × 1,800,000 = $2,520 per mile of road. These net earnings would pay interest at 5 per cent on a cost of road amounting to $52,400 per mile. Now the average cost of a mile of road in Canada is over $70,000. In other words, if we assume that the roads between Winnipeg and Port Arthur were built at an average cost, even the exceptional volume of grain traffic of the year 1915 would not alone have sufficed to pay interest at 5 per cent on the construction cost, though the whole grain traffic of the prairies was concentrated on them.

Highway Improvement.

We think the Government would do well to give serious consideration to the question of the cost of bringing grain from the farm to the railway station. The desire of the farmer to reduce the cost of marketing his grain to the lowest possible point is natural. We do not believe that any serious reduction of rail rates can be expected, and no one can say what ocean rates will be in the future, but we think that the wagon cost is capable of considerable reduction. We find that an average rate per 100 pounds from Battleford, taking this as a typical point, to Liverpool, may be put at not more than 50 cents by the all-rail route to Montreal. By water from Port Arthur, which route carries the vast proportion of the traffic, the through rate would not be more than 40 cents per 100 pounds on the average. On the other hand, typical examples of the cost of wagon haulage have been brought to our notice. We find instances of a cost of 33 cents per 100 pounds for a distance of 12 miles, and of 54 cents per 100 pounds for 35 miles. And we are informed that in some cases grain has to be hauled as much as fifty miles to a station. In other words, in cases such as these the cost of delivery at the station is as much as or even more than the total through rate from the station to Liverpool. What method should be adopted to cheapen local haulage is a matter for detailed consideration in each individual case. But, either by road improvement, coupled possibly with an organized system of mechanical traction, or by the construction of short spur lines of the lightest and cheapest possible type, we are persuaded that a good deal might be done at a very moderate expense. And we therefore commend the matter to the serious consideration of both the Dominion and the Provincial Governments.

The Hudson Bay Railway.

We understand that construction work on the Hudson Bay line has been suspended. We think that the work should not in any case be recommended till more urgent needs have been met and money is more easily procurable. And if the work on the line is begun again, we think it should be done in the most economical manner possible, and only up to the standard of a local line, bearing in mind that it cannot be expected for many years to come to be self-supporting. Considering the small advantage in rail mileage from the grain-growing areas, which the Hudson Bay possesses over the existing routes to Port Arthur, and that from many districts it possesses no advantage at all; considering further the short and uncertain period of navigation in the bay, and that grain consigned to Port Nelson will consequently always be liable to be detained there for nine months till navigation is again opened; considering that higher ocean freights may be expected to absorb, if not more than absorb, any possible saving in rail rates, we cannot believe that this route will ever secure any serious share in the export trade. Still less can we think that it will handle an import business. Unless considerable mineral wealth should be discovered in the territory which this line will open up, it must, we fear, continue to be almost indefinitely a burden upon the people of Canada. And everything that can be done should be done to make this burden as small as possible.

Steamship Connections.

The question of steamship connections on both oceans is referred to us. We have not reported on it. To deal adequately with a question of such vast range was impossible in the time and with the means at our disposal. Further, the complete revolution that the war has caused in the shipping trade of the world would, we feel, make any conclusions or recommendations based on a study of either war or pre-war conditions valueless for guidance after the war. The question of steamship connections naturally involves the question of ports. This question also we have refrained from touching. For port facilities depend on available steamship connections quite as much as steamship connections on the facilities available at the ports.

Tendency of Railway Rates to Rise.

Before concluding our report we desire to make one observation of a general nature. The average ton-mile rate in Canada in the last financial year was ·751 cents; in the United States the figure was ·732 cents, which is practically the same. In the United States it is coming to be generally understood that this rate is too low to give the railway companies an adequate return on their existing capital and that consequently new capital cannot be attracted to railway investment in sufficient amount to provide for necessary new expenditure. And this fact was to some extent recognized in October, 1914, by the Interstate Commerce Commission in their approval of a flat increase of 5 per cent (with certain exceptions) on all tariffs in the portion of the United States adjacent to Eastern Canada. And if an average rate of ·732 cents is inadequate in the United States, where traffic is far more dense, and where climatic conditions are less rigorous, much more is an average rate of ·751 cents inadequate in Canada. It is true that with the present rates the Canadian Pacific Railway pays a dividend of 7 per cent from railway operation. But as we have already pointed out, that company has some $200,000,000 invested in the property on which no interest has to be paid. Were this sum represented by ordinary stock, the dividend from railway operation would be not 7 per cent but 4 per cent. And the Canadian Pacific has the cream of the Canadian business.

Necessity for Immediate Action.

It is to be anticipated that difficulties, more or less great, will need to be overcome before a final settlement can be reached with the Grand Trunk and Canadian Northern Railway Companies. We realize that, if the matter were dealt with in the ordinary manner, it might be a matter of months, if not years, before a final settlement was reached. The pressing public interest demands that the matter be not so treated.

We think instructions should be given by the Government forthwith, without waiting for further action on this report, to the Canadian Northern and Grand Trunk Pacific companies to discontinue all expenditure on works in hand, unless and until express permission is received for their continuance.

We will enumerate certain other matters that will not brook delay. In the West the Canadian Northern is not giving, and is not able to give, adequate service to the grain-growers in some important districts which are dependent on its lines. The situation in the Goose Lake district is highly unsatisfactory. The branch is in bad shape and is not fit to do the business offering. There is absolutely no room for doubt as to the lack of freight cars and the resulting inconveniences, and even in many cases distress. In the East the position of the Grand Trunk is most unsatisfactory. Beyond question the system immediately requires at least 200 more locomotives and at least 10,000 freight cars. If coal famines are to be avoided, and the proper winter movement kept up, the line from Burlington Junction to Fort Erie urgently requires double tracking. Other improvements are imperative. The question of electrification ought to be taken into consideration forthwith.

If things go on as at present, the traffic conditions of this year will in all probability return in an aggravated form next winter. The old equipment will be a little older, the roadbed will be in a little worse condition. And the situation in Eastern Canada has been so bad this winter, that there has been much difficulty, specially at Grand Trunk points, in maintaining a supply of grain and flour from the West. It is imperative that strong and efficient action be immediately taken.

Recognizing the probability of delays, caused by the efforts of the companies to secure better terms from the Government, we think that, in order to protect the business interests of the country, the Government should immediately put itself in a position to obtain orders appointing receivers for the Grand Trunk and Grand Trunk Pacific systems. We recommend that, at the present sitting of the House, an Act be passed constituting the Board of Trustees, so that, in case receiverships are necessary, the Trustees may, on the application of the Government, under its existing rights as a creditor, be appointed Receivers. They would then be in a position to take, through the courts, the necessary steps to vest the properties in the Dominion Railway Company so as to constitute the new system that we have recommended. Should the companies show themselves ready and anxious to come to a prompt agreement, actual application to the Courts would of course not be made.

We feel that the appointment of receivers is not in the interest of the country's credit. It certainly is not in the interest of the companies, as the evidence of this report shows that the property of the Grand Trunk Company, if it were put into a receiver's hands, would leave little or nothing for the shareholders. The result of court proceedings would probably be to divest the shareholders of all interest, and to place the Government in the position to take, to the fullest extent, the advantages of their legal position as holders of defaulting securities. But, though we hope receiverships will not be necessary, we think the Government must face the possibility of being compelled to take the course we have indicated.

In the case of the Canadian Northern Railway Company no proceedings in court are requisite. Under the provisions of section 24 of the Canadian Northern Railway Guarantee Act, 1914 (4-5 Geo. V, chap. 20), the Governor General in Council has power, when authorized by Parliament, to declare by Order, if default is made by the company in payment of interest on the $45,000,000 guaranteed securities (the interest on which is at present being found by the Government) that the equity of redemp-

tion of the company is absolutely barred and foreclosed; and thereupon the whole property becomes vested in His Majesty in right of the Dominion of Canada.

If receiverships become necessary, the advantage of appointing the Trustees as receivers is obvious. The Trustees, with the Government behind them, and with the approval of the court, would be in a position to operate the roads as a combined system, to purchase much needed rolling stock, and to make essential improvements, in a way that no ordinary court receiver could do. Receiverships in the ordinary sense would only result in greater traffic congestion than ever, and in losses not only to the shareholders but to the country at large.

PART VII.

SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS.

We summarize our conclusions and recommendations as follows:—

1. The mileage of Canadian railways is very great in proportion to the population of the country. It has increased out of proportion to the increase of population.

2. Canada's natural waterways make railways less absolutely necessary than in other countries.

3. The net return is so low as to prove that more railways have been built than can be justified on commercial grounds under present conditions.

4. The public investment in railways is very large. The total amount of public capital involved in direct construction of Government lines, and cash aid, land grants and guarantees to private companies, is $968,451,000, not counting the value of lands still unsold.

5. Public aid to the principal companies, including subsidies, land grants, and guarantees, amounts to over $680,000,000. In the case of the Grand Trunk Pacific it amounts to nearly two-thirds of the total investment; in the case of the Canadian Northern to over three-quarters.

6. There have been three phases of company development: (1) unaided enterprise, (2) assistance by subsidies and land grants, (3) assistance by guarantees. A guarantee policy is dangerous and its wisdom questionable.

7. The development of Canada justified two transcontinental lines. It did not justify three. The Grand Trunk and Canadian Northern should have been amalgamated.

8. The Grand Trunk Pacific system has cost nearly $200,000,000. The interest charges amount to over $8,800,000 per annum. The net income last year was $826,653. The liability of the Grand Trunk Company for interest amounts to over $5,000,000 per annum at present, and will rise to over $7,000,000 in 1923.

9. **We cannot recommend** that the Grand Trunk Company be unconditionally released from their liability. The responsibility for the National Transcontinental line rests mainly with the Government, but that for the Grand Trunk Pacific proper

belongs primarily to the Grand Trunk. The Government has voluntarily relieved the Grand Trunk of all responsibility for the National Transcontinental. In respect to the Grand Trunk Pacific proper the Government is fully entitled, morally as well as legally, to call upon the Grand Trunk Company to fulfil its contract.

10. The Grand Trunk Company proper has made unjustifiable charges to capital. Its lines have not been adequately maintained. More than $21,000,000, which ought to have been spent on maintenance in past years, has not been spent. New capital expenditure of over $30,000,000 is immediately required. The country is suffering from the company's inability to give adequate service. The Grand Trunk railway ought to be managed in Canada, and not from London.

11. **We recommend** that the control both of the Grand Trunk Pacific and of the Grand Trunk be assumed by the people of Canada on terms hereafter set out.

12. The Canadian Northern has been financed mainly by the issue of guaranteed securities. Till 1914 it met the interest from its own resources. Since that date the Government has assumed very heavy obligations on behalf of the company. There is little prospect that the company would be able in the near future to relieve the Government of these obligations.

13. The company's estimate of its future capital requirements is too low; and its estimates of probable growth of earnings have been and still are unduly sanguine.

14. **We estimate** that as a separate undertaking it would require fully $70,000,000 of new capital within the next five years.

15. **We do not recommend** that further public aid be given to the Canadian Northern as at present constituted.

16. The Canadian Northern common stock represents no cash investment, and has no present value, either on the basis of the cost of reproduction of the property, or on the basis of its earning power.

17. **We recommend** that the public take control of the Canadian Northern Company on terms hereafter set out.

18. On the assumption that the people of Canada take control of the Grand Trunk, Grand Trunk Pacific, and Canadian Northern, we consider possible methods of management and operation.

19. **We do not consider that operation by a Minister directly responsible to Parliament would be in the public interest.** It would not secure better service or lower rates.

20. If the Government operated these three railways, it would be bound in fairness to the Canadian Pacific shareholders to take over their railway also. The Canadian Pacific gives good service and should not be interfered with.

21. Special objections to direct Government ownership and operation are:—

(1) That Canadian railways operate more than seven thousand miles of line subject to the foreign jurisdiction of the United States;

(2) That the Canadian Government resources are required for war purposes.

22. **We therefore reject** the idea of direct Government ownership and operation.

23. **We do not recommend** that the Grand Trunk, Grand Trunk Pacific and Canadian Northern Companies be allowed to go into the hands of a receiver.

24. **We recommend** that the control of these three companies be transferred to a new body.

25. We have discussed and rejected the following suggestions:—

Transfer of all three railways to the Canadian Pacific.

Transfer of the Canadian Northern or a portion of it to the Canadian Pacific.

26. There is no possibility of forming a new commercial company to take over the three railways. Neither the Mexican precedent, under which the Government becomes a majority shareholder, nor the New York Subway precedent, under which the public authority shares the profits with the private shareholder, is applicable to this case.

27. Having come to the conclusion that direct ownership and operation by the Government is to be avoided, and that ownership and operation by a commercial company is not possible, **we recommend that a new public authority, a Board of Trustees be incorporated by Act of Parliament as the "Dominion Railway Company"; and that the Canadian Northern, Grand Trunk and Grand Trunk Pacific be transferred to this body.**

28. **We recommend** that the Government assume responsibility to the Dominion Railway Company for the interest on the existing securities of the transferred companies.

29. **We recommend** that the Intercolonial and National Transcontinental be also transferred to the Dominion Railway Company, for reasons which we give hereafter.

30. **We recommend that the whole of the Dominion Railways be operated by the Trustees as one united system, on a commercial basis, under their own politically undisturbed management, on account of, and for the benefit of, the people of Canada.**

31. **We recommend** that there be five Trustees, three railway members, one member selected on the ground of business and financial experience, and one as specially possessing the confidence of railway employees; that the original Trustees be named in the Act constituting the Board; and that their tenure of office be substantially the same as that of judges of the Supreme Court.

32. **We recommend** that the original Trustees retire after 3, 4, 5, 6, 7 years, respectively, according to a prescribed scheme; that they be eligible for reappointment; and that all appointments subsequent to the original statutory appointments be by the Governor General in Council on the nomination of the Trustees themselves.

33. We lay stress on the importance of the Board being non-political, permanent, and self-perpetuating; and in this connection point to the experience of the Australian State Railways.

34. We give reasons for concluding that railways are not a proper subject for direct Parliamentary control. We point to a general tendency in modern democracies to withdraw certain subjects from this control. And we show that under Parliamentary control the general interest of the whole community tends to be subordinated to the particular local and individual interests.

35. **We recommend** that the authority of the Railway Commission be extended to include the Dominion Railway Company's system.

36. We give the reasons for our recommendation that one of the Trustees shall be appointed on the ground of his possessing the confidence of the railway employees.

37. **We recommend** the transfer to the Trustees of the common stocks of the Canadian Northern, Grand Trunk and Grand Trunk Pacific subject to certain conditions and reservations made hereafter.

38. We deal with the question of the compensation to Canadian Northern shareholders. We find the charge that Messrs. Mackenzie and Mann have misappropriated public moneys unfounded. We find that the Canadian Northern shareholders possess a system of which the lines are well located and economically constructed, and that they have raised the necessary money with considerable financial skill and at moderate rates of interest, but that they erred in unwisely duplicating lines and reaching out into unremunerative territory.

39. **We recommend** that the question be considered whether Canadian Northern shareholders shall be permitted to retain a moderate proportion of the $60,000,000 shares which they now hold; that the precise proportion, if any, and the relation of that proportion to their share of any future profits of the Dominion Railway Company, be fixed by arbitration.

40. **We recommend** that the entire share capital of the Grand Trunk, guaranteed, preference and ordinary, be surrendered to the Trustees in exchange for an annuity based on a moderate but substantial proportion of $3,600,000, the average sum paid as dividend in the last ten years; and that this annuity should increase by 40 or 50 per cent after the first seven years.

41. **We recommend** that the precise figure be fixed by agreement and that it be left to the directors of the Grand Trunk Company (1) to apportion the annuity among the five classes of Grand Trunk shareholders, and (2) to procure such assents of their shareholders as are legally required to complete the transfer.

42. We give reasons for considering that this recommendation is generous to the Grand Trunk shareholders, and why the shareholders in their own interest will do well to accept it.

43. **We recommend** the transfer to the Trustees of the National Transcontinental, in order that it may take the place it was built to take as part of a great inter-ocean highway, and because its financial position would be hopeless if it terminated in a dead end at Winnipeg.

44. **We recommend** the transfer of the Intercolonial: (1) in the interest of the Maritime Provinces to whom the Intercolonial at present can only give a local service with no adequate terminals beyond Montreal; (2) in the interest of the taxpayer who has a right to demand efficient and economical expenditure of his money; (3) in the interest of the railway staff who will secure the wider opportunities of a great system.

45. **We recommend** that in future the Intercolonial be required to pay local taxes on the same basis as the other railways; and that the inhabitants on the line receive statutory protection against increase of local railway rates.

46. **We make recommendations** as to (1) non-railway property of the transferred undertakings, (2) getting in minority holdings of shares and outstanding titles to land, (3) arrangement with the holders of Canadian Northern 5 per cent Convertible Income Debentures.

47. We deal with the legal position of the Trustees; and point out that the Canadian Northern, Grand Trunk and Grand Trunk Pacific Companies will continue to exist; and that consequently the rights of their security holders will remain undisturbed.

48. **We recommend** that the Trustees take over each railway as soon as the transfer can be effected, with the purpose of ultimately operating them all as a single unified system.

49. We deal with the finances of the Dominion Railway Company and point out that the Intercolonial, with no bonded indebtedness, has a considerable net revenue, and offers security on which new capital can be raised. We recommend the creation of a General and Refunding Mortgage of unlimited amount, to be issued as required.

50. **We recommend** that the Act of Parliament provide that the operation of the Company shall be on a commercial basis, and that the Trustees make no general reduction in rates until the property earns a reasonable net return.

51. **We recommend** that there be given to the Trustees the widest powers in the management of their property.

52. We have endeavoured to estimate the annual liability of the Government to meet interest unearned during the first few years of the new scheme, and we put it at about $12,500,000 per annum. We think this amount should diminish steadily but not slowly; and that with proper economic and politically undisturbed management the attainment of a satisfactory financial result is only a question of time.

53. We give specimens of the large economies which should result from combined operation.

54. **We recommend** the enlargement of the functions of the Railway Commission; that it have jurisdiction over all Dominion Railways; and report to Parliament on all proposed grants of charters, subsidies, and guarantees.

55. We deal with the conflict of Dominion and Provincial jurisdiction. **We recommend** that, to prevent this in future, the Governor in Council should in certain cases disallow Provincial Acts, and that no railway company should operate under both Dominion and Provincial charters.

56. **We recommend** that there be a continuous public audit of the Dominion Railway accounts, and that full and comprehensive reports be made annually to Parliament.

57. **We recommend** the establishment of Railway Councils to bring together the railway management and representatives of public interests.

58. We point out that the existing railways are in excess of public requirements and show how much traffic is required to make a railway profitable.

59. We show that the cost of hauling grain to the station is sometimes as great as that of carriage from the station to Liverpool, and **recommend** that the question of highway improvements and motor haulage be taken into consideration.

60. **We recommend** that future expenditures on the Hudson Bay Railway be reduced to the lowest possible amount.

61. We point out that railway rates are much more likely to rise than to fall in the immediate future.

62. And finally we **lay stress on the necessity for immediate action** lest Canada should suffer from railway congestion even worse than that of the past winter.

Respectfully submitted,

H. L. DRAYTON,

W. M. ACWORTH.

REPORT OF MR. A. H. SMITH.

This Commission was asked to report upon the general problem of transportation in Canada. Several subdivisions of the subject quite naturally suggested themselves, and were made a part of the problem to which the Commission was requested to give attention. Practically all of the subdivisions have received consideration, but the general problem is essentially a question of what to do with the railroads of Canada. To a constructive solution of this important problem, the Commission has given its attention.

The General Problem of Transportation in Canada:

For a proper understanding of the problem, a knowledge is necessary of the history of railway development in Canada, especially as affected by the public policy, which has found expression in governmental acts.

Canada early recognized that its growth depended upon the construction of railways. The large productive areas of the country could be served only in a limited way by its splendid system of waterways.

Even before the eastern provinces became united into the Dominion of Canada, the Grand Trunk had become an important railway line, serving the people both of Canada and the United States. The Intercolonial, as is well known, was constructed out of public funds, and largely for the purpose of bringing more closely together, commercially and politically, two more or less separated sections of the Dominion. Long in advance of its justification upon a commercial basis, an all-Canadian transcontinental line was projected by the Government and completed with extensive public aid by a private company as the Canadian Pacific.

Because of the great distances which separate parts of Canada's producing territories from the consumers' markets, development of the country's resources depended upon railway building, while cheap transportation was necessary to enable the people to compete with other producers. The people of Canada, therefore, gave such aid as was necessary to procure for themselves railway lines that would bring the country's resources into use and keep themselves in touch with the outer world.

Cheap transportation depends upon careful investment and efficient management. In the usual case, these are most likely to be found where private initiative and proper incentive to effort are employed. So far, Canada, for the most part, has pursued the policy of leaving to private enterprise the management of its transportation machinery. The Intercolonial, which has been under governmental control since its beginning, is an exception. But this line, I am informed, usually pays nothing to the Government as a return upon money invested in the property. On the contrary, it has frequently called upon the Government for aid in meeting expenses of operation. The investment in this line is large, some authorities placing it as high as $348,000,000, including loss of interest. Evidently its rates are too low or its expenses are too high, but the use of this line, at the rates enforced, is regarded in some quarters as a right of the people in the Maritime Provinces. If the Canadian people

have ever made an agreement, or adopted a policy which may be construed as creating that right, the contention may be correct; it is, at any rate, within the power of Government to grant such a privilege. The fact is referred to merely to point out in connection with what I shall say later that a railroad may be built either as a commercial enterprise and for ordinary commercial purposes, or as a public undertaking and for other purposes, which are within the proper scope of Government. The two should not be confused. But it should be kept in mind that when Government builds and operates a railway which does not pay its way, including proper maintenance and interest upon investment, taxation is relied upon to support transportation upon that line. The burden is shifted from the user to the general public, but the processes by which this is done are often so complex as to obscure the facts, and actual costs are not ascertainable.

The Canadian Pacific affords a later example of the internal development policy of the Government. That road had its beginning in a transcontinental project that was proposed to be carried out directly by the Government. At an early date, and it seems to me wisely, that purpose was altered; it was decided to have the road completed by a private company. But the undertaking was large, the population sparse, the prospect of profit remote, so that the Government not only turned over to the company the uncompleted road upon which it had expended a large sum, but it also extended to the company generous aid in the shape of land grants, cash subsidies, guarantees, and loans. It is true that value was given to the land grants largely through the building of the road and the opening of the territory to settlement. The important point here is that the Canadian Pacific owes its later and continued success not only to the skill and enterprise of its builders and managers, but to the fact that through liberal direct aid, it was able to begin business with a small charge against its earnings on account of borrowed capital. Thus favourably started, the company was able to devote its energies and surplus income to the development of the road and the country.

A new transportation problem arose with the settlement of the Prairie Provinces, where the land is devoted chiefly to raising grain and live stock. Owing to the long hauls that intervene between the producer and consuming markets, freight charges absorbed a considerable part of the proceeds. The Great Lakes afforded the least expensive route to the East and tidewater. But these lakes are open only part of the year, and navigation closes before the season's crops can be moved from the lake ports. With the filling up of the country and consequent increase in production, came a general demand for additional means of transportation. While land speculation probably had no little influence, the farmer felt the effect of inadequate facilities, and any project that promised relief appears to have found approval among citizens who were able, through their legislatures, to bring public aid to the development of these enterprises. Railroads, therefore, were not only actively in demand, but railroad builders were popular and had little or no difficulty in obtaining public support for proposed new lines.

The Canadian Pacific stood as an example of success to be repeated by newer railways. Unfortunately, too little attention appears to have been given to the underlying facts which actually made that road what it was. Experienced

men apparently believed that a second Canadian Pacific might be had if they could but lay a transcontinental road, build great hotels, passenger terminals, and operate ocean steamers. These things were only the outward evidence and not the cause of the Canadian Pacific's prosperity. It may even be that they contributed little to the strength of that company's financial condition, if due account be taken of all the costs, investment as well as operating, involved in carrying on such enterprise.

In May, 1903, a Royal Commission of Transportation, of which Sir William Van Horne was chairman, was appointed "to consider questions affecting transportation of Canadian products to the markets of the world through and by Canadian ports, with a view of placing the Canadian producer in a position to compete, and compete successfully, through all Canadian ports with the producers and exporters of other countries." The report of this commission is interesting. It clearly reflects the effect of the outlook which great opportunities and a land bpoom had upon the minds of the people. All kinds of transportation projects were recommended. For instance, the Grand Trunk Pacific was to be extended to Moncton; the Intercolonial was to be extended to Georgian bay, etc. New canals were to be built, and old ones widened and deepened. This commission also recommended a bounty for Canadian-built ships, toll-exempt canals, additional waterways to be opened at public expense, and the acquisition of water terminal lands out of public funds. In other words, it was clearly the intent that transportation should be stimulated by subsidies from the public treasury.

It would now seem that there could not have been in sight enough traffic to justify the extensive development here recommended. However, many of the things proposed in this report have been done, and other ambitious schemes not here mentioned have since been brought out. The point in mind is that without making a specific declaration of the fact, as far as I know, Canada's policy for years appears to have been to promote the public welfare by means of building or aiding in the building of transportation lines throughout the Dominion.

It is unfortunate that Canada did not have a policy of regulation in this period which could have prevented needless duplication of lines and facilities. Competing lines have been built where effective regulation could have saved a large part of the investment, while completely satisfying every reasonable and proper need for service. Instead of co-ordination and conservation under government supervision, railways were permitted to duplicate plant in fields not yet productive enough to support the one; the Government, on the other hand, was, in one way or another, aiding both projects, if it had not indeed itself promoted either or both projects. Very naturally, it has not and could not have obtained the benefit which should have followed a correct programme of government aid. The policy of government aid makes the need for regulation of railway building more necessary even than where private capital is depended upon, for in the latter case the proposal must at least have a promise of commercial success before capital can be induced to come in and give it support. To the absence of such regulation must be charged responsibility for no small part of the railway problem of to-day.

We may well inquire here as to the effect of this policy upon the three principal systems. The Grand Trunk Railway Company, feeling no doubt that its own traffic field had been invaded by the government-aided Canadian Pacific, desired in turn to enter the promising western territory. Accordingly, it proposed to build a line from North Bay to the Pacific coast. Public aid was required and granted in a way to ensure the building of the road. If any serious thought was given to co-ordinating existing or proposed roads, and to utilizing them for the public good, it did not find public expression in any constructive way. The Grand Trunk Railway Company evidently felt confident in the success of its plans, for it pledged its own credit in aid of the extension, and entered into contracts which it now finds quite beyond its ability to carry out.

Canadian Northern interests, directed by Mackenzie, Mann & Co., who since an early date had been operating local lines in Manitoba, seized the opportunity afforded them for expansion and rapidly extended their rails throughout the Prairie region. The records show that the Canadian Northern had a large mileage on the prairies before the projection of the Grand Trunk Pacific; so that when the extension plans of the Grand Trunk became a part of the national policy, as they did become, the Canadian Northern was added to the number of those who wanted to own a transcontinental system and one as fully complete and self-contained as was that of the Canadian Pacific. Hence, we find two new companies, both built largely upon public credit, striving for first place in a field which, as for transcontinental transportation, or even as for connecting Eastern and Western Canada, was largely occupied. Besides having the Great Lakes waterway there could have been barely enough business to support one additional line, and that only by the exercise of economy in operation and prudence in investment.

The Canadian Pacific, enjoying splendid credit, with adequate powers and resources, and keenly alive to the possibilities of losing business to competitors challenging its supremacy everywhere, then entered the contest by undertaking to build new lines in an effort to protect its sources of revenues.

The stimulation felt throughout the country by the influx of settlers and by the importation of so much new capital not only created a boom, but it quite naturally affected prices for labour and materials, sending these soaring; the increased prices in turn contributed largely to the higher costs which are now reflected in the construction accounts of the new roads.

This brings us fairly to a recognition of the fact that while the policy of public aid to railways had originally been founded on the urgent need for transportation to open up a new country, to develop its resources, and to unify Canada commercially and politically, it was carried far beyond the limits warranted by the original exigency. It appears to me that the responsibility is as much the Government's as the private companies'. Without enabling legislation and the extension of Government credit from which all received their essential support, the companies could not have expanded and overbuilt.

This policy, in so far as it aimed at the development of Canada, appeals to me as sound, and fully justified in its inception, but it needed to be supplemented by some form of supervision that would have insured to the people the benefits of that policy without the losses that have followed the effort to assist development indiscriminately.

The situation must be faced as it exists. It is not possible to undo what has been done; the money which has been spent cannot be recalled. The immediate and obvious thing to do is to adopt a constructive and discriminating programme, first, for correcting the conditions which necessitate continuing loss and waste, even where that would require the abandonment of useless property, and, second, for controlling new construction. The scrap heap is frequently the most economical disposition available for inefficient plant and machinery.

Status and Usefulness of the Three Transcontinental Railway Systems.

The Canadian Pacific Railway System;

The Grand Trunk Railway System (including the Grand Trunk Railway, the Grand Trunk Pacific Railway and their several branches);

The Canadian Northern Railway System.

The Canadian Pacific Railway is essentially self-contained and self-sustaining. I agree with my colleagues as to its financially strong position. It has world-wide commercial strength. As a result of the aid and privileges extended by Government, together with the prudence and progressiveness of its management, which has extended its field of activity over nearly all Canada, and through its steamship lines and commercial organizations throughout a large part of the world, it is a success.

The Canadian Pacific is well built, well maintained and has adequate terminals and equipment. It is efficiently operated. It is somewhat at a disadvantage in crossing the mountains, and elsewhere it has gradients that, compared with more recently built lines, do not make for as good trainload and operating efficiency. It is assumed that the Canadian Pacific will make improvements as the need for them arises, for it is fully able to do so.

Accorded reasonable treatment, that company will continue, I am sure, to give good service, and I believe the best interests of Canada will be served by continuing the present status of the Canadian Pacific. The introduction of Government railway competition, which might have no regard for investment or cost of operation, would be unfair and, in the end, would react disastrously upon the Canadian people. The regulating power affords to the people of Canada adequate protection in the matter of rates and services, and such power should likewise protect the company.

THE GRAND TRUNK SYSTEM.

The fortunes of the Grand Trunk Railway Company are bound up with the Grand Trunk Pacific. It stands as guarantor for large sums of money invested in the railway, and has advanced millions from its own resources in an effort to develop the western line and its subsidiary properties. The Grand Trunk Pacific Development Company has absorbed many millions of Grand Trunk capital without definite prospect of return, and to the Grand Trunk Pacific Branch Lines Company large construction advances have been made. Not only is the Grand Trunk committed for many millions, but the Government has directly invested large sums of money in this property and guarantees other large sums, the total of which exceeds $127,000,000.

The Grand Trunk Pacific was located on a scale that would do credit to any single track line. There is not enough business to justify such an outlay, and the prospect for business which will warrant the cost seems quite remote. For long distances, sections of this line parallel one or more other lines.

That part of the Grand Trunk Pacific lying between the Rocky mountains and the Pacific coast is in a country which appears to have abundant natural resources. In time, these may be developed to the advantage of this road.

The port of Prince Rupert is suited for a large ocean traffic, which is non-existent. The development of Alaskan trade seems to present the most immediate possibility for this port and railway.

The road west of Winnipeg has some disadvantages on account of expensive trestles and instability of embankments. It has good grades, but inadequate terminals at important places. It has sufficient equipment but lacks feeders.

From the Rocky mountains to Winnipeg, the presence of parallel roads raises a question as to whether the Grand Trunk Pacific line is not the best adapted by location and physical condition to handle the trunk-line traffic. If it is not the best, then the disposition of this part of the road, with its branches, naturally depends upon its usefulness as a road serving local interests.

From Winnipeg east to North Bay and Port Arthur, the Transcontinental and Grand Trunk Pacific railroads together can give efficient service as a connecting link between the railways of Eastern and Western Canada. This road also affords a good line for traffic moving via the Great Lakes. In fact, it is probably the best route of any for hauling bulk commodities at low costs.

Officers of the Grand Trunk Railway Company claim that the Government is morally bound to relieve the company of the Grand Trunk Pacific, because the Government is responsible for the failure of the project, having permitted a rival company to enter the field. The rival line, however, has been constructed at a lower cost per mile, and manages to get enough traffic to pay its operating expenses and a large part of its fixed charges, which cannot be said of the Grand Trunk's system west of North Bay. I feel that I am not called upon to discuss the merits of the Grand Trunk's claim against the Government. I have no doubt the Government has observed at least the letter of its contract.

Standing alone, with efficient operating conditions imposed, there is no reason, within my knowledge, why the Grand Trunk Railway proper should not become a profitable operation. It occupies a good territory, reaching some of the best traffic centres in the United States and Canada, and has American connections that ought to contribute to its welfare. The company needs terminal improvements in cities and modern equipment, especially locomotives. The need for equipment is pressing, and should be met.

THE CANADIAN NORTHERN SYSTEM.

The lines of the Canadian Northern, particularly in the Prairie Provinces, appear to be advantageously located in view of traffic conditions. Inspection of the property brings out the fact that this road was built with proper regard for economy, and the creation of a permanent public service utility.

In some instances, the system has extended its lines where it should have obtained a traffic interchange agreement or the joint use of facilities instead, at least until the traffic had grown enough to justify further expansion. A public policy intended to develop and serve the country as a whole, at the lowest cost, would have enforced arrangements which would have obviated the needless duplication of facilities.

The line from Yellowhead pass to Vancouver, in part at least, may be unnecessary, but it is there by the joint action of Government and the company. The character and capacity of this line through the Fraser River canyon, where it is alongside the Canadian Pacific for about 200 miles, would suggest that no more money should be spent for double-tracking or revising grades on either of the railroads for years to come. From Yellowhead pass to Edmonton, the proximity of the Grand Trunk Pacific places two lines where one affords abundant capacity.

The invasion of the East by the Canadian Northern now appears to have been unwise, but condemnation thereof must be tempered with a knowledge of the conditions which forced this extension. There was a public demand for railroads. All Canada was enthusiastic over the prospects of a rapid growth in wealth and population. Railroads were on a competitive basis, and the public stood ready to back any new railroad enterprise, since that meant a rival carrier, and, incidentally, a new business in construction. There was no regulation which enforced co-operation among rival lines. The Canadian Northern, seeking to expand and become a profit earner, quite naturally desired to get all the traffic it could, and to hold all it got for as long a haul as possible. As a result, it undertook to do what appeared to be necessary under the conditions then existing—that is, to extend its line to both oceans.

An inspection of this company's property shows that generally it is of a type of construction well suited to its needs, and that the builders have installed it at a cost which, by comparison, seems small. Nowhere was there evidence of waste in the construction work itself. It is true that the company had some construction under way, or planned, that appeared wasteful because unnecessary, but this was due, I understand, to the unregulated competitive system, or to bargains with public authorities.

This building of expensive terminals in cities already supplied with adequate facilities affords an example of duplication for which the public must eventually pay. However, in the absence of restraint and regulation by consistent public authority, it is difficult to determine how the company could have avoided this.

The precarious financial situation of the Canadian Northern is due, in part, to its uncompleted condition, and to the fact that needed capital cannot be obtained on its own resources, especially during the period when capital is so greatly in demand by powerful governments. This system is not at present able to earn all of its fixed charges. As important parts of the system have but recently emerged from the construction period, it would be truly remarkable if it were able to do so. It does earn a very large proportion of such charges, and probably could earn all of them but for the burden of eastern extensions and duplications that have been placed upon it. Practically all commercial enterprises, and particularly railroads, must go through a development period.

The Canadian Northern is short of equipment. With the return to normal conditions, and provided with the capital necessary for equipment and for additional local facilities, this road can, in my judgment, work its way out in a reasonable time.

Reorganization.

We are asked to make suggestions in regard to "the reorganization of any of the said railway systems or the acquisition thereof by the State; and in the latter case, the most effective system of operation, whether in conjunction with the Intercolonial Railway or otherwise."

The first practical question is, therefore, the need of reorganization of any of these three transcontinental systems; the second is whether they should be acquired by the State; and the third is whether the status of the Intercolonial can be changed; and, if so, can the road be advantageously grouped with either of the three systems.

In such suggestions as I shall make, I am influenced by consideration of the public policy as evidenced by past governmental acts. I further assume that the existence of these roads through the direct aid and sanction of Government is conclusive evidence of the fact that the people really desire them. That they were built in advance of their need for ordinary commercial uses—a fact which is emphasized by the present abnormal economic situation—does not appear to me a sufficient reason for condemning the policy of national development, or the wisdom and integrity of those who have built the roads under that policy. Neither do I think that there exists any condition to warrant taking up a new and untried public policy, which may lead to greater difficulties than those which are now faced.

The history and standing of the Canadian Pacific Railway, and its public service as a carrier to-day, is sufficient assurance that it does not need reorganization. The scope of its business, extending to other lands by steamships and commercial connections, and the control of many thousand miles of railroads in the United States, would afford sufficient reasons, if none other existed, for dismissing the idea of its acquisition by the State.

So much of the Intercolonial as is serviceable to the Canadian Pacific appears to be now used by it, either as a local connection or through trackage rights. Moreover, the two have existed separately for many years as competitors and no new reason appears why the relations of the Intercolonial and Canadian Pacific should be changed for the future, unless the people of Canada are satisfied that better results would be obtained for the territory served by the Intercolonial if it were in the hands of the Canadian Pacific.

The Grand Trunk Railway Company has stated that it is beyond its power to assume and carry the obligations which would be imposed upon it if it should try to become such a transcontinental system as the plans of 1903 contemplated. The company has not attempted to bring about the organization of a system approximating that of the Canadian Pacific or even the Canadian Northern, nor can it do so.

In view of the parent company's inability to carry out its original plans, and to discharge its obligation, the question is, what disposition is to be made of the various roads which were intended to be, but did not become part of one operating system.

My colleagues have recommended that the stockholders of the Grand Trunk Railway Company be paid an annuity which is to be a "moderate but substantial portion of $3,600,000, the average dividend payment for the last ten years." This recommendation is in spite of the facts noted in the report that there are arrears in maintenance which require the expenditure of twenty-one millions of dollars, and that the company has charged to capital items which should properly have been charged against income, these facts indicating that there have been some dividends paid which have not been earned. Considering this situation and also the obligation of the company in the West, I am not impressed with the justice of paying an annuity to the stockholders in exchange for a surrender of this property. I also would be liberal to them, but I would allow them to keep their property and give them a chance to work out their own salvation. To that end, I would recommend that a settlement be effected between the Government and the Grand Trunk Railway Company. The railway cannot carry out its part of the contracts, and it should be relieved of further embarrassment. On the other hand, the stockholders of the Grand Trunk Railway should be required to curtail or forego their dividends for the present, and the entire earnings be applied to the rehabilitation of the road through a term of years. The Government thus gives up a present claim which the debtor cannot pay anyway; in turn, it will enjoy improved and extended service which may be worth far more to the welfare of the people. I should also give the Government some claim upon the future earnings of the Grand Trunk, so that it may share in any future prosperity which this action makes possible.

Reorganization of the Grand Trunk is desirable only in so far as it shall be required to put itself in shape to discharge efficiently its functions as a carrier. Whether it shall retain all of the subsidiaries which it has accumulated through the past fifty years depends in large measure on what they can contribute to the main property. Careful study of each of the subsidiaries will lead to definite conclusions from the standpoint of the Grand Trunk and its future welfare.

What the Grand Trunk needs most of all is to be relieved upon equitable terms of the embarrassment that it has incurred through the failure of the transcontinental scheme. The acquisition by the State of the Grand Trunk Railway proper presents much of the embarrassment that would obtain in the effort to acquire the Canadian Pacific, for here also, in addition to the question of equity involved, there is the problem of some two thousand miles of railroad owned in the United States; and the fact that the Grand Trunk's principal seaport is in the United States.

The investigation of the Canadian Northern by the Commission has disclosed evidence of skill in construction and efficiency in management, considering the means and equipment available. The company even now earns a large part of its fixed charges although important parts of the system have been in operation for but a year. I think there is ample justification for confidence that the affairs of the company will improve with the return of normal conditions. I see no reason for a change of management or a reorganization, excepting as hereinafter suggested.

It may be well here to consider the relation of the Intercolonial to the other roads, and the possibility of operating it in conjunction with any of them. I have shown its relation to the Canadian Pacific. The main line of the Intercolonial is about

1,009 miles, from Montreal to Halifax. It has occupied the territory for fifty years and has become adapted to it. There are apparently no operating economies available by combining it with another system that are not available to it alone. Assuming proper regulation, there appears to be no traffic interchange that could be better assured by merger. I am informed that the Maritime Provinces consider the use of the Intercolonial as a right to which they are entitled. Moreover, the Government has built the Transcontinental, a part of which was in compliance with plans of the Grand Trunk, while the rest of it is so placed that it ought to continue to be operated in conjunction with the Intercolonial. The present status of the Intercolonial and the eastern part of the Transcontinental should be continued as a government operation. The results of such operation should, however, be reported to the people of Canada in exactly the same form as is required from other railroads. And these roads should be subject to the same reasonable regulation as is exercised over all other railroads.

Mention might be made here of the railroad that the Government is building from the Saskatchewan river to Hudson bay. The object in the construction of this road has been stated to be that of obtaining a shorter haul from the western provinces to Europe. The bulk of the traffic to follow this route must necessarily be diverted from the roads extending from Winnipeg to the East, so that the project seems to be an instance of competitive construction which cannot be justified in this case, even on the ground that it opens up new territory.

There are numerous local railway projects, within provincial limits, which at the moment seem to have little effect upon this general railroad problem. Disposition of these may well await developments as to their necessity and utility when they assume operation. There is little that can be said just now as to their probable relation to the existing means of transportation.

The Great Lakes and the St. Lawrence route furnish a natural route from the western country to the East, and to the Atlantic ocean for a part of the year. Numerous steamship lines between Port Arthur and Georgian bay or the lower lakes and St. Lawrence river ports afford adequate transportation under normal conditions, though somewhat affected by customs requirements and other factors. In view of the heavy movement of grain in the last three months of navigation, regulations governing shipping should be as favourable as practicable, for the hauling of grain over the long distances to the eastern seaboard by an all-rail route involves a problem in car supply and cost which renders such a haul unprofitable for rail lines.

The success of the Canadian Pacific steamship lines has led to the suggestion by some that the other railroads ought also to establish steamship lines. I do not believe that this success was primarily due to the railroad ownership of the ships. Temporarily the war seems to have put a stop to plans for railroad-owned steamships. If, at the close of the war, it is to be tried again, it would seem advisable first to ascertain whether other ships cannot be induced to schedule sailings before railroads incur the responsibility of making additional investment in ships. There are ships running in regular postal routes with subventions. Perhaps the Government might well require, in connection with its subventions, that ships give equal service to the railroads without discrimination among them, thus removing another cause for the employment of duplicate facilities.

In visiting the various ports, I was impressed with the facilities installed and being installed. At Halifax, particularly, important works were actively under way, necessitated, I believe, by the overseas traffic for war purposes. It is likely that the future development of steamship terminals in connection with railroads will be difficult to fix until normal conditions resume. Meanwhile, the Atlantic seaports are so much involved in the emergencies of war as to place them beyond the scope of this inquiry. In any event, such works of harbour improvement and development as are the result of war measures will be there at the close of the war as a foundation for what the future may hold.

I am unable to join my colleagues in their recommendations. They propose that practically all of the railways in Canada, except the Canadian Pacific and the American lines shall be turned over to a corporation to be managed by a board of trustees appointed by Government. They insist that this board is to be permanent and self-perpetuating. I do not know by what means one Parliament can bind its successors to a given policy, especially in so simple a matter as changing the organization of a government board. My friends seem to avoid government ownership and operation, in fact condemn it as inadvisable, but propose a plan which contains so many elements of danger in the direction which is sought to be avoided that I am unable to join them.

Their plan would add about a billion dollars to the direct debt of Canada. The interest on this is about forty millions, adding very largely to government expenses. Judging from the experience Canada has had with its government railways, it is fair to assume that this would remain a permanent burden. Operated by private companies, this interest would ultimately be borne by the companies without recourse to the government funds, and at the same cost of service to railway patrons as would obtain under government operation.

Their plan also leaves out some of the railways. This is unfair to the investors whose property is to be subjected to government competition. It also discriminates in the method by which the respective properties are to be acquired. I cannot approve the proposed centralization of control. There are problems local to separate regions which often require prompt action and co-operation between the railroads and the people served. There is a need everywhere for that prompt and efficient service which can come only from a knowledge of local conditions and responsibility for meeting them. I cannot believe that centralization, remote responsibility and control, will ensure good service to the people of Canada.

The recommendation creates a Dominion Railways Company owned by the Dominion Government, to take over those roads. There are about 7,000 miles in the United States controlled by Canadian companies. The Canadian railways depend for no inconsiderable portion of their revenue on United States traffic. A fundamental defect of the plan, therefore, is in placing the Government in the railroad business, not only in Canada, but also in operating railroads in the United States subject to both federal and state regulation.

Through private railway management, Canada has obtained about one mile of railroad for each $30,000 of Government aid of guarantees, which is but a fraction of the cost of Government railroad undertakings. In some instances, a large proportion

of the aid was in land, the value of which produced by the building of the railroad and the settlement thereby made possible. Compared with the total outlay involved in producing railroads by the Government itself, as, for instance, the case of the Intercolonial or the Transcontinental, from three to six times that amount have been used to realize equal results. This shows distinctly the value of enlisting and retaining private enterprise.

The Obvious Remedy.

Let us review the salient facts concerning each company:

The Canadian Pacific is amply able to take care of itself. It can and does provide competition with the other railroads. In order to be most serviceable to Canada, it should be continued, subject only to such equitable regulation as is accorded to all lines.

The Grand Trunk succeeded in the East and failed in the West. The Canadian Northern succeeded in the West and was jeopardized by its eastern expansion.

There is extensive duplication of lines in the West; the unsuccessful Grand Trunk Pacific lines are found among the successful Canadian Northern lines. Public policy demands the unification of these lines, for great economies could be thereby accomplished.

There is extensive duplication in the East; the new Canadian Northern lines among the older lines of the Grand Trunk proper. Great economies in proposed investment and operating expenses await the joint working of these properties.

There is wasteful duplication in the connecting region between North Bay and Winnipeg, where the Canadian Northern line parallels the government line. Economy awaits the joint working of these lines.

Consideration of all phases of the problem leads me to recommend the following remedies for the existing situation:—

> Let the Canadian Pacific alone; let the Grand Trunk operate the eastern lines now held by that company and the Canadian Northern; let the Canadian Northern operate the western lines, now held by that company and the Grand Trunk Pacific system; let the Government operate the connections or procure their operation by private companies; all of which should be done under arrangement that are equitable and yet look to the not distant day when the country will have survived the war and resumed its prosperous growth.

There may be several ways by which this can be brought about, but the one that has appealed to me is that which seems to be the least disturbing of values and credit and involves no untried schemes or protracted disputes. Therefore, I beg to make the following suggestions:—

> 1. Amend the regulating policy so that the Railway Commission may have jurisdiction over all railroads in the matter of maximum and minimum rates, the issuance of securities, the building of new railways, or the extension of lines, and other matters properly within the scope of governmental supervision.
>
> 2. Create a board of trustees, consisting of two government officials and three private citizens to act for the Government in the matters hereinafter proposed.

3. Relieve the Grand Trunk Railway Company of its obligation to lease the Transcontinental, and require the company to relinquish all claims upon the Transcontinental; require it to lease to the Board of Trustees the Grand Trunk Pacific railroad properties at a rental amounting to the net annual fixed charges; require it also to take under lease the Canadian Northern properties east of North Bay and Parry Sound, and pay as a rental the net fixed charges on those properties. The time of the lease should be for twenty-one years. The Grand Trunk's investments, other than railroad, in the West may be disposed of by the company as it may elect, and in accordance with its best interests.

4. Require the Canadian Northern Railway Company to confine its operation to the field west of Winnipeg. Relieve it of the line east of Winnipeg by leasing for twenty-one years to the governmental Board of Trustees, at a rental of the net annual fixed charges. Require it to take a lease of, and to operate for the same period the Grand Trunk Pacific Railway, and its branch lines, paying as rental the net annual fixed charges upon those properties; except that until seven years after the end of the war they shall have the immunity that was promised the Grand Trunk Pacific for a period of seven years after construction, and that they shall not be required to assume any of the extraneous investments of the Grand Trunk System in the West.

5. Lease the lines between North Bay and Winnipeg (except the Canadian Pacific's) for a term of twenty-one years to either the Canadian Northern or the Grand Trunk (or, in event neither applies, to any other qualified company), requiring the lessee to furnish the necessary capital for new equipment, and to maintain and operate the lines on the best terms that can be made; terms that would give the best service needed at lowest cost to the Government being regarded as best. Either the Government or the lessee should build a connecting line of about thirty miles near Long lake, Ontario, to protect the better working of the two lines.

6. The Government and companies should have the option of terminating, after ten years, any of the leases upon equitable terms.

The foregoing recommendations are made with a view to obtaining for Canada a maximum of efficiency at a minimum outlay. The continuance of government aid, to some of the railroads at least, will be necessary under any plan. The plan herein proposed seeks to reduce this to the lowest possible point and to centralize it upon those parts of the existing lines which are not self-supporting, and which, in the nature of things, cannot be self-supporting for years. These connecting links, "bridges," as they have been called, exist, it seems to me, as a result of that public policy which has been discussed at some length. The Government may well afford to take them over and maintain them as necessary parts of the public investment in the country's development. They are not of sufficient importance to bring about those dangers inherent in government operation of this kind on a large scale, and holding them will not endanger private enterprise. It may be necessary in working out this plan to grant some additional and temporary aid to the Canadian Northern, and it will be necessary to effect some compromise with the Grand Trunk Railway Company

which will enable this Company to continue. Aid should be extended upon the recommendation of the Board of Trustees, who should be charged with the duty of investigating the need of and approving the aid to be rendered by the Government; they should also see that the Government receives for that aid such security as will give it a revision in case of default.

The recommendations here submitted are to be considered as a general outline of what appears to be a fair solution of the transportation problem. Enabling legislation will be required in any case, and I realize that there are many technical and legal questions which will require careful attention at expert hands. If the general plan is adopted, my thought is that the Board of Trustees which I have suggested be charged with the duty of acting for the Government in all matters requiring new contracts, and shall protect the interest of the Government in every way while leasing, operating, or financing the property under their care to the best advantage, due consideration being given to the rights of the other parties at interest.

If for any reason it should prove inexpedient to carry out the foregoing suggestions, and if the Government should find it wise or necessary to possess itself of, and to hold any considerable part of the railway properties, I should recommend as an alternative plan the formation of a private company to take over other operations of those properties, either as a whole or in groups. Even where a road does not earn its fixed charges the Government could profit in the long run by making the terms of an operating lease sufficiently attractive to induce private enterprise to undertake its management. The terms of the contracts would naturally depend upon the extent of the property and the prospect of earnings, but they could be so drawn as to prove attractive to private capital and at the same time relieve the Government of the expense and embarrassment of government operation. Such contracts might be based upon a profit-sharing plan on a fair basis, which would leave the company a hope of reward commensurate with its efforts and give the public also a share in the prosperity which they must help to create.

I should like to add one other thought. The railways of Canada are in desperate need of equipment. Whatever decision is made with reference to the railways, the transportation problem is now acute in so far as equipment is concerned. I would, therefore, recommend that the Government undertake at once to provide an ample supply of freight cars and locomotives against immediate and imperative needs. These cars and engines may be had, if desired, under trust agreements. It will be a simple matter to turn these cars and engines over to the operating companies under lease, or contract of purchase which may be exercised when conditions are more nearly normal.

Concluding, I would be loathe to suggest recourse to any radical changes in the domestic policy of the Dominion of Canada in this time of war and stress. Remedial measures are often more efficacious than revolutionary ones, and more equitable. I have been impressed by the seriousness of your transportation problem, and in sincerity express my belief that the problem can be successfully and satisfactorily remedied by a just and mutual recognition of difficulties and full and free co-operation between the Government and the railroads. Fair and broad treatment of the question will, I am convinced, bring capital and personal genius commensurate with the

exigencies of the present situation, and capable of developing a happy solution. I believe that the best results hitherto have been obtained by the efficiency and economy of private initiative, energy, and capital. It is no longer assumed that the self-interest of the railroad investor and operator is antagonistic to the interest of the public; rather, we have all learned, governments and corporations alike, that the two are inseparably linked and must stand or fall together. Upon these fundamental truths I base my firm conviction that the brightest outlook for the future of your great Dominion can be assured through the extension of private railroad enterprises. The hope of honour and the reward of public approval must be open to human kind to get the best results from human endeavour.

Facing the urgency of the need, considering the part which the Government has taken and the responsibility which it shares, and keenly alive to the magnitude and the importance of the tasks now placed upon the railroads and the greater tasks which they will face, I see no safe alternative but that the Government shall continue, with discrimination and resort to all available safeguards, and under a policy of proper regulation and co-ordination of effort, to aid the necessitous railroads of the Dominion until such time, which I hope and believe will not be far distant, when these will become self-supporting and the problem will be solved.

Respectfully submitted,

A. H. SMITH.

New York, April 25, 1917.

APPENDIX A.

Report on Appraisal of the Canadian Northern Railway System and the Grand Trunk Pacific Railway.

BY

GEO. F. SWAIN, M.Am.Soc.C.E., M.Can.Soc.C.E., M.Inst.C.E.

OTTAWA, Ont., March 10, 1917.

To the Commission of Inquiry into Railways and Transportation.

Mr. A. H. Smith, Chairman.

GENTLEMEN,—I beg leave to submit the following report with reference to the work that has been done under my direction in making an approximate valuation of certain railroad properties in Canada.

My first invitation to attempt this work was contained in a letter from Mr. Smith, dated August 3, 1916. I proceeded at once to New York and consulted with Mr. Smith, then to Ottawa where I consulted with Sir Henry Drayton, and arranged for the organization and prosecution of the work.

ORGANIZATION.

My first problem was to secure a competent man to represent me at Ottawa, where the office work necessarily had to be done, and to take charge of the office. I at once entered into correspondence with Mr. W. H. Chadbourn, who had assisted me previously in similar work in valuation of large railroad properties, as well as in other matters, and on September 2, 1916, Mr. Smith telegraphed me approving his appointment. Mr. Chadbourn's previous experience had been as follows: 1886, graduated from the Massachusetts Institute of Technology; 1887, Assistant Engineer, Norfolk and Western Railway; 1888, Chief Engineer, Wilmington and Conway Railway, now a branch of the Atlantic Coast Line, and Chief Engineer of the Wilmington Sea Coast Railway, now a part of the trolley system of Wilmington, N.C. He built both of these lines by force account; 1890-1906, he was with the United States Engineer Corps on River and Harbour Works, occupying positions of great responsibility in the design of the works on the Ohio river, and elsewhere; 1906-10, Chief Engineer, Chicago Great Western Railway.

Since 1910 he has been very largely engaged in valuation work, as follows: 1911-12, assisted me in valuation of New York Central Lines east of Buffalo; 1911-12, assisted Mr. W. J. Wilgus in valuation of the Lehigh Valley Railroad; 1912, assisted Mr. J. R. Kendrick in valuation of a portion of the Canadian Pacific Railway between Montreal and Toronto, the valuation being made for the company; 1913-14, in charge of the valuation of the Atlantic Coast Line for J. G. White Engineering Corporation.

In 1915 Mr. Chadbourn went to Russia for the J. G. White Engineering Corporation on professional work. While in Europe he was a member of the Commission of Relief in Belgium. He returned to this country early in 1916.

My communication with Mr. Chadbourn was largely by wire, but I had two conferences with him, in which we outlined the methods of conducting the work.

Mr. Chadbourn proceeded at once to Ottawa, where he arrived September 6, and immediately entered upon the work. He was assigned offices at first in the Royal Bank building, and later in the *Citizen* building.

In conference with Mr. Smith and Sir Henry Drayton, the question of organizing an engineering force was thoroughly considered. It would have been comparatively easy to have secured engineers from the United States who had had experience in valuation work and were familiar with the principles, points of view, and methods governing such work. In Canada, little valuation work had been done, and that largely by American engineers. The Canadian Pacific Railway a few years ago had had a valuation made of a part of its line, and had placed the work in charge of Mr. J. R. Kendrick, of Chicago. Mr. Kendrick's force of engineers, of whom Mr. Chadbourn was one, was composed entirely of engineers from the United States. Moreover, owing to the war, there was a scarcity of engineers in Canada properly equipped with the technical knowledge requisite for this work. Nevertheless, it was decided, in view of the fact that this work was to be done for the Canadian Government, that, with the exception of Mr. Chadbourn, the engineering staff should be made up entirely of Canadians, if properly equipped men could be found. It was absolutely necessary that I should have somebody to represent me in Ottawa who was personally known to me, and on whose judgment and discretion I could thoroughly rely. Mr. Chadbourn more than fulfilled these conditions, and with him in charge of the office, I felt that the field work and office work should be done, if possible, by men familiar with and having had experience on the properties which were to be valued.

To select and organize a suitable force caused some delay, in view of the circumstances above referred to, but ultimately a very satisfactory organization was effected. None of the men whom we were able to secure, however, had had any experience in valuation work, and they had to be instructed and trained in it. I am very happy to state, however, that they entered upon the work with interest and enthusiasm, and that, as a rule, they grasped very quickly such principles of valuation as it was necessary for them to apply. To all these engineers my thanks are due for their earnest and conscientious labours. The work in the field was, in some instances, arduous, requiring long hours, and exposure to severe weather conditions, but it has been done with credit and with remarkable speed.

The following list gives the names and character of the work performed by the various engineers who have been connected with the work, together with other office employees:—

LIST OF ENGINEERING EMPLOYEES.

(1) W. H. Chadbourn, M. Am. Soc. C.E., Chief Engineer. In charge of office.

(2) C. S. Gzowski, M. Can. Soc. C.E. In charge of field examination of Canadian Northern line between Edmonton and Vancouver, including terminals at Edmonton and Vancouver; lines on Vancouver island; of line from Edmonton to Calgary, with branches; and of other branches out of Edmonton; also of the Grand Trunk Pacific from Edmonton west; also preparation of final report in the office on Canadian Northern lines above named. Assisting Mr. Gzowski in this work, were: G. H. Burnett and J. W. Chappelle, in the field and office; and L. Phillips in the office.

(3) G. R. Balloch, M. Can. Soc. C.E. In charge of field examination of Canadian Northern lines between Port Arthur and Edmonton, including main line and branches; also preparation of final report on these lines in the office. Assisting Mr. Balloch in this work were: H. MacNeil in the field and office, and F. O'Gara, L. J. M. Howard, and J. Rainboth, in the office.

(4) A. H. N. Bruce, M. Can. Soc. C.E. In charge of field examination of Canadian Northern branches between Ottawa and Toronto, and main line Toronto to Capreol, also preparation of final report on these lines in the office.

(5) T. S. Armstrong, M. Can. Soc. C.E. In charge of field examination of Canadian Northern lines between Ottawa and Port Arthur via Capreol, and preparation of final report on this line in the office.

(6) W. H. McGaan, A.M., Can. Soc. C.E. In charge of field examination of Canadian Northern lines and branches east of Ottawa and Toronto, and preparation of report on these lines in the office. Assisting Mr. McGaan in this work, was: W. B. Elder.

(7) N. Cauchon, A.M., Can. Soc. C.E. Specially assigned to valuation of real estate at terminals, including Montreal, Ottawa, Toronto, Port Arthur, and Winnipeg.

(8) H. Horner, Architect. In charge of making valuation of buildings of all kinds.

(9) B. M. Hill. In charge of field examination of the Grand Trunk Pacific line between Winnipeg and Edmonton, including branches; and preparation of report on these lines in the office.

(10) A. L. Ford, M. Can. Soc. C.E. In charge of preparation of report in the office on Grand Trunk Pacific line between Edmonton and Prince Rupert. Assisting Messrs. Hill and Ford in this work, in the office was: C. Gilmore.

(11) E. C. Keefer, A.M., Can. Soc. C.E. General office assistant, engaged in working up final reports, making estimates from profiles, etc.

(12) H. MacNeil, A.M., Can. Soc. C.E. Assisting Mr. Balloch in the field and office.

(13) F. C. O'Gara, A.M., Can. Soc. C.E. Assisting Mr. Balloch in the office.

(14) L. J. M. Howard. Assisting Mr. Balloch in the office.

(15) J. Rainboth, A.M., Can. Soc. C.E. Assisting Mr. Balloch in the office.

(16) G. H. Burnett, A.M., Can. Soc. C.E. Assisting Mr. Gzowski in the field and office.

(17) J. W. Chappelle. Assisting Mr. Gzowski in the field and office.

(18) L. Phillips. Assisting Mr. Gzowski in the office.

(19) W. B. Elder. Assisting Mr. McGaan in the office.

(20) C. Gilmore. Assisting Messrs. Hill and Ford in the office.

(21) C. H. Larkin. Engaged in estimate of areas and values of right of way.

(22) A. M. Beale. Mr. Beale was delegated to this work from the Water-Powers Branch of the Department of the Interior, for the purpose of gaining experience in the methods used in our work. He assisted Mr. Keefer in work on the Canadian Northern Railway and Mr. Ford in work on the Grand Trunk Pacific."

CLERICAL ASSISTANTS.

(1) A. J. Therien, File clerk and general office typist.

(2) M. L. Ryan, Stenographer and accountant.

(3) J. McCartin, Stenographer and accountant.

THE WORK TO BE DONE.

I was instructed to ascertain the approximate physical value of the entire system of the Canadian Northern Railway and of the Grand Trunk Pacific Railway, and if possible to make comparisons between certain portions of these lines and similar or adjacent portions of the Canadian Pacific lines. The entire mileage to be covered was approximately as follows:—

	Miles.
Canadian Northern System	9,375
Grand Trunk Pacific, main line	1,748
Grand Trunk Pacific branches	950
Canadian Pacific	1,352
Total	13,425

I was informed that the entire work must be completed by early in March at the latest, in order that the Commission might have the information in season to formulate its own report. In other words I was allowed, from the time Mr. Chadbourn was installed in his office in Ottawa, less than six months in which to make a physical valuation of 13,500 miles of railroad.

When the work began, no information in the way of profiles, list of structures, or any inventories of the physical properties, was in my hands. The offices had to be equipped with furniture, the force organized, the field work completed, and the results worked up in the office within the brief space of time. Nothing more will be necessary to convince those who have had anything to do with valuation problems, that unusual and peculiar methods were required in this work in order to compass it in this brief period. Railroads in the United States, and the United States Interstate Commerce Commission have been working for years on a valuation of railroad properties at great expense and with a large force of men, yet in this case two large railroad systems had to be valued in less than six months.

Notwithstanding the scant time weather conditions were favourable, and while it was not possible to examine every detail of the properties with care, I believe that the results are, on the whole, approximately correct and fair. The most uncertain element is land, and, if further time had been available, our figures for this item might perhaps be modified. Neverless, nothing is more uncertain than real estate values, and experts are often very far apart as regards the value of any particular parcel of land.

Before describing the methods adopted, it may be desirable to make a brief statement of certain fundamental principals, in view of the fact that this report may be read by persons to whom the subject of valuation is unfamiliar, and who may be unaware of the uncertainties and differences of opinion involved in work of this kind.

SOME GENERAL PRINCIPLES OF PHYSICAL VALUATIONS.

The word "value" is one of the most uncertain in the dictionary of economics, and several distinct meanings are given in treatises on that subject. An object of little or no intrinsic value may have value for its possessor, but none for any one else; that is to say, its value may be entirely sentimental, and it would fetch nothing in the market. Again, an object of great intrinsic value, measured by its cost or by the cost of reproducing it, may have no value whatever in the market, because it possesses no sentimental value or no earning power; or again, an article or a property of little intrinsic value, measured by its cost or the cost of reproducing it, may have great value in the market because it has great earning power.

By the word "value" the economist usually means value in exchange; that is to say, the price which the article of property would bring as between a willing seller but one who is not forced to sell, and a willing buyer but one who is not forced to buy.

There is no sentiment about a commercial property like a railroad. The real value of such property is measured by its earning power and by nothing else. No matter how costly or how expensive it may have been originally, its value in exchange will be measured by its earning power. Prospective earning power, perhaps under altered conditions, must of course be considered. Some properties, therefore, have a so-called "strategic" value, because, while they may earn nothing by themselves, they may be combined with other properties in a way to produce or enhance earnings.

If property is valued for the purposes of sale to a new owner, earning power, with the explanation above given, will therefore be the proper basis, taking account, in other words, of the uncertainties and potentialities of the future. This, however, would not be a physical value; that is to say, the value might include a large sum to represent location, good-will, patent rights or other elements which cost little or nothing, but which produce earning power.

In the case of a public utility corporation, a valuation is generally made either for the purpose of regulating capital, or for serving as a basis of rates to be charged, or for condemnation, or for purposes of taxation. For purposes of taxation or condemnation, earning power may be fairly taken into account. For purposes of fixing rates, which are themselves sources of earnings, it would clearly be reasoning in a circle to base the value upon earning power; for purposes of capitalization, earning power has clearly no direct or necessary connection; in these cases, it is the physical value of the property which is to be determined; that is to say, the value of the various physical elements which go to make up the property.

To determine this physical value there are two, and only two, available bases:—

(1) The original cost, or original cost less depreciation, according to circumstances;

(2) The cost of reproducing the property at or about the time the valuation is made, or, the cost of reproduction new less depreciation, according to circumstances.

These two bases are entirely distinct, and should be kept so throughout the valuation; whichever basis is adopted, it must not be confused, with reference to any of the elements of value, with the other basis, otherwise, confusion will result, and the conclusion arrived at will be unintelligible. If the original cost is to be found, it must be found without the slightest reference to what any part of the property would cost if reproduced at the time the valuation is made. If the cost of reproduction is to be found, it must be found entirely without reference to what any part of the property cost originally. The result will then either be the original cost, or the cost of reproduction new, and this result can be used intelligently and with due regard to circumstances, and as to whether it is a fair measure of value. Much of the confusion with regard to the subject of valuation has arisen from combining these two methods.

The valuation of a property is generally for the purpose of ascertaining what the courts have termed "the present value" or "fair present value." Just what the present value, or the fair present value may be, is not easy to state, and probably cannot be stated. The courts, however, have frequently stated what it is not. They have again and again laid down the principle that it is not original cost. In some instances they have stated that it is not the cost of the reproduction new, but it is generally admitted, I think, that both the original cost and cost of reproduction new, and also the depreciation, depending upon circumstances, are all elements which may affect the judgment as to the "fair value."

If the problem of your commission were to determine the first cost of the properties which we have considered, this would have been a problem for accountants and not for engineers, except, perhaps, for some engineering advice on certain pertinent matters. The properties in question, namely, the Canadian Northern System and the Grand Trunk Pacific, have, for the most part, been constructed within a comparatively few years. To determine their cost would be purely a book-keeping proposition, to be performed by expert accountants, with the aid of sworn statements, affidavits, vouchers, etc. Some of the lines of the Canadian Northern, however, are old lines which have been taken over into the system within recent years. I do not know what records are available, but it is very possible that to determine the original cost of these properties would be impracticable.

I have assumed, therefore, and I think it is clearly evident from the above brief discussion, that the problem assigned to me, that of making an approximate physical valuation of these properties, must necessarily be that of ascertaining the cost of reproduction new of these properties, and not the first cost. In other words, you desire to ascertain what present investment in money may fairly be said to be represented by the physical properties concerned. If certain elements of value which originally cost

little or nothing, like some of the real estate, have appreciated in value, the enhanced or present value is to be ascertained. If this was not your object, my valuation, as above stated would be unnecessary.

With the exception of the land, however, and those lines of the Canadian Northern System which are old lines recently incorporated into the system, in other words, for the portions of the lines considered which have been built within recent years, the cost of reproduction and the original cost should nearly coincide. The land values themselves should probably not differ greatly, except in the large cities, where in some cases, land costing little originally has now become very valuable, so that its first cost and its cost of reproduction would be very different. In the case of the older roads recently bought and incorporated in the Canadian Northern System, the cost of these properties to the Canadian Northern Company might differ greatly, both from the original cost of the properties and from their cost of reproduction new at the present time. They may have been bought at very high or at very low prices, as compared either with first cost or cost of reproduction.

These principles were briefly discussed with your Commission before the beginning of the work. The problem, therefore to be performed by the force under my direction, was to ascertain the cost of reproduction new of the properties in question at the present time. By the phrase "at the present time" is not to be understood the present moment, in view of the inflated prices for materials and labour which have come about as a result of the war; but rather, the fair cost of reproduction new, assuming that the properties were to be reproduced at fair average prices prevailing during a brief period of years just before the war. Further discussion as to the prices used will be given further on in this report.

With this brief discussion of general principles, the methods employed for the prosecution of the work, and the results obtained, may next be considered.

METHOD OF PROSECUTING THE WORK.

When this work was first undertaken I was given to understand that it would have to be completed by the end of the calendar year 1916. Under these circumstances, I addressed to Sir Henry Drayton, August 22, the following letter:—

August 22, 1916.

DEAR SIR,—With reference to the proposed valuation which your Commission is to make, I think it is desirable to obtain from the railway companies whatever information on this subject they already have. A detailed valuation of these properties such as is being made by the Interstate Commerce Commission, or such as has been made by various States, would cost a very large sum of money, take a very long time, and would, in my opinion, be entirely unnecessary. All that your Commission should do, it seems to me, is to apply an approximate yard stick in the manner which you yourself have suggested, namely to find the value per mile of certain typical pieces of road, and then to apply these prices to the railroads in question, having due regard to similarity of conditions and taking account of any exceptional elements of value. The first thing to do is to find out what information the companies are prepared to furnish. Very likely they can give unit prices for all the elements involved and perhaps they have inventories of the various structures and other properties which they possess, with costs, either original costs, or fair present costs.

I would therefore suggest that you ask of them such information as they are prepared to furnish, taking up in order each of the elements of value according to the classification required in your accounts, which I have not before me, but which probably follows in some general way the list below. Some of this information will probably be better obtained by personal conference between

your engineering force and the engineering force of the companies, in order that it may be given in the form desired. I would therefore make the following suggestions, taking up in order the various elements which go to make up a railway property:—

1. Right of way and station grounds.—Whatever information the roads have with reference to the cost or assessed value of the right of way; width of right of way.

2. Real estate.—Some information as to the value or cost.

3. Clearing and grubbing.—Cost of rock, loose rock, and earth excavation on different portions of the line. Probably the companies can give us actual contract costs covering a wide variety of conditions.

Profiles of the lines.—If the companies have complete profiles, they could probably loan them to your Commission for study in the office or on inspections.

4. Tunnels.—Number, length, section, material, cost.

5. Bridges, trestles and culverts.—Possibly the companies may have complete lists of these structures, and information regarding general dimensions, material, and type, and perhaps also cost.

6. Ties.—Cost and number per mile.

7. Rails.—Weight, date of laying, length and cost delivered on the ground.

8. Frogs, Switches and crossovers.—Types used and prices paid. Perhaps the companies also have the number.

9. Track fastenings and other materials.—Standard type and the cost.

10. Ballast.—Standard cross-section of road-bed on different parts of typical portions of the line, kind of ballast and quantity per mile, cost of ballast of different kinds, under the different conditions.

11. Track laying and surfacing.—Cost.

12. Cattle-guards.—Standards, cost.

13. Fencing right of way.—Type, cost, and length.

14. Interlocking and other signal apparatus.—Statement of kind, number, etc.

15. Crossings and signs.—Standards and what other information the companies have.

16. Telegraph and telephone lines.—General Statement.

17. Station buildings and fixtures.—Possibly the companies have a complete list of stations, with information regarding size and material of buildings.

18. Shops and engine houses.—List and general description.

19. Shop machinery and tools.—List and location of shops and size, and such other information as may be available.

20. Water stations and purifying plants.—List and general description.

21. Coal handling plants.—List and general description.

22. Grain elevators.—List and general description.

23. Storage warehouses.—List and general description.

24. Dock and wharf property.—List and general description.

25. Power plants and transmission.—General statement.

26. Snowsheds.—Standards, length, cost.

27. Masonry.—Possibly the companies have complete lists of masonry structures, cost of concrete and stone work per yard on different typical sections.

28. Overhead bridges.—Possibly they have complete lists of these.

29. Coal and ore docks.—List and general description.

30. Floating equipment.

31. Hotels and restaurants.—List and general description.

Finally, statement of any other property of the companies.

Yours truly,

GEO. F. SWAIN.

Sir HENRY L. DRAYTON,
Commission of Inquiry into Railways and Transportation.

In accordance with this letter, a communication was sent to each of the railroad companies by Sir Henry Drayton, a copy of which follows:—

AUGUST 22, 1916.

MY DEAR MR.————You have already been written to for several characteristic costs. The engineer in charge of physical valuation desires the data required by the enclosed memorandum, and the Commission would be obliged if the same is forwarded at the earliest possible date.

We understand that most, if not all, of this data is available. Speaking generally, it is required for the annual report. In order that there may be no delay, the Commission will be much obliged if the company will forward the information which it can now readily compile, as well as any other further information bearing on the value of the physical asset that the company may have, at the same time indicating what, if any information desired it has not got and how long it will take to prepare it.

Yours faithfully,

H. L. DRAYTON.

Enc.

INFORMATION REQUIRED FROM RAILWAY COMPANIES AS TO PHYSICAL PROPERTIES.

1. Right of way and station grounds: The cost to the company of purchasing or otherwise acquiring its right of way and station grounds, for each of the company's different operating divisions, and the present assessed value of the same, together with accurate data as to the width of the right of way and acreage of station grounds.

2. Information as to the cost of the company and present assessed value of the real estate owned by the company, other than the right of way and station grounds, by the different operating divisions in which it is situate, showing its acreage and the purpose to which it is put.

3. Cost per yard of solid rock, loose rock, earth excavation work, and other material on the company's several operating divisions.

4. The production of the company's working profiles under which the line was constructed; such profiles to show the classification of the different excavations and fills and their quantities.

5. The number of tunnels, their respective lengths, sections, material, cost and location.

6. A return of the company's information as to the number of bridges, trestles, showing where they are situated, their length, height, dimensions, material, type and cost.

7. A return of the company's information as to the number of culverts, showing where they are situate, their length, height, dimensions, material, type and cost.

8. The number of ties per mile and their cost.

9. The weight, date of laying, length and cost of rails at mills and delivered on the ground.

10. Such information as the company possesses as to the frogs, switches, crossovers, passing tracks, and sidings in each operating division; such information to show types used and standard prices paid.

11. Details as to track fastenings and other materials used, the company's standard type and cost.

12. Ballast—Standard cross-sections of the road-bed on different parts of typical portions of the line, showing the kind of ballast used, depth, and quantity in yards, per mile, together with the cost of the different types of ballast used.

13. The cost of track laying and surfacing in each operating division.

14. The number of cattle guards in each operating division, and cost.

15. The type of fences used in each operating division, the length of fence, and cost per mile.

16. The location of interlocking and other signal apparatus in the different divisions, with information as to their character, number, and cost.

17. The cost to the company of crossings and signs, and their number in each operating division.

18. The company's telegraph and telephone lines in each operating division, the number of wires and poles used, and cost per mile.

19. The number of station buildings, freight sheds, or other facilities in each operating division, size and material, and cost to the company.

20. A list of all shops, engine houses, and turntables in each operating division, giving particulars as to size, with cost, and a general description thereof.

21. The cost to the company of the shop machinery and tools located in the shops.

22. list of all water stations and purifying plants located on the different operating divisions, and their cost to the company.

23. A list and general description of coal handling plants and fuel stations on each operating division, and their cost to the company.

24. A list and general description of all grain elevators owned by the company on each operating division, their capacity, and cost.

25. Storage warehouses: A list and general description of all storage warehouses owned by the company on each operating division, their capacity, and cost.

26. A list and general description of all dock and wharf property owned by the company on each operating division, their capacity, and cost.

27. A list and general description of all electric light, power, and transmission plants owned by the company on each operating division, their capacity, and cost.

28. A list and general description of all gas-producing plants owned by the company on each operating division, their capacity, and cost.

29. A list and general description of all snowsheds owned by the company on each operating division, and cost.

30. The number of overhead highway bridges on each operating sub-division, their length, type, and cost to the company.

31. The number of gates and electric bells maintained by the company at crossings on the different operating divisions, and their cost.

32. A list and general description of all coal and ore docks owned by the company on each operating division, their capacity, and cost.

33. A list and general description of all hotels and restaurants on each operating division, owned by the company, and their cost.

34. Any other property owned by the company on its different operating divisions, its description, and value.

After the return of the Commission from its western trip, about the end of September, I was given to understand that my work need not be completed until early in March. In the meantime, no data had been received from the companies excepting a few profiles and some lists of bridges. It was essential, therefore, if any field work were to be accomplished during the season, that the field men should be started at once. The time between Mr. Chadbourn's arrival in Ottawa, September 6, and the first week in October, had been consumed in conferences with the companies with reference to

the character of the material to be furnished, in preparing the offices, in engaging and instructing the men, in the preparation of instructions for field engineers, and in the preparation of some typical yardsticks or estimates of cost per mile of typical lines, omitting special items. It was decided to carry out a valuation reconnaissance, sending engineers over all the lines, with such profiles, lists, and other information as was available, with instructions to observe and note all elements of physical value.

Considering the difficulties in getting men, the fact that no information was available at the start, and that the men secured had had no experience in valuation work, I consider that we were as expeditious as could have been expected, in being able to start our field work, as we did, by the middle of October. It takes time to collect a force of competent men, and, on account of the war, the fact that we were limited to Canadian engineers, it took, in this case, longer than it would ordinarily have taken.

We had hoped and expected to receive from the Canadian Northern Company all profiles before the field men started on their work, in order that they might go over the lines with those profiles before them. By the middle of October, however, we had only received profiles for a portion of the lines, so that in most cases the field men were obliged to start with no data, but simply with their note-books.

On October 16, Mr. Chadbourn and I, accompanied by Mr. W. P. Kellett, a well-known Canadian engineer of Brantford, Ont., who had had to do with the construction of several railroads, and Mr. D. O. Johnson, of Toronto, a contractor of long experience in railroad work, and accompanied also by a number of our field engineers, set out from Ottawa for a trip to the Pacific coast by way of the Canadian Northern lines going west, and the Grand Trunk Pacific returning. On this trip the field engineers were instructed as to the method of taking their notes, the points to be observed, and all other pertinent matters. Each field engineer was left at a suitable point in the territory assigned him, while Mr. Chadbourn, Mr. Kellett, Mr. Johnson, and myself proceeded upon our trip, picking up from time to time other field engineers whom we had engaged, and instructing them similarly.

The main purpose of this trip was to enable Mr. Chadbourn and myself to become thoroughly acquainted with the lines on which we were engaged, the physical characteristics of the country, and also in order that we might discuss with Messrs. Kellett and Johnson and with the superintendents and engineers of the companies the question of unit prices. Each evening a session was held at which these matters were discussed, and each member of the party expressed his opinion as to the fair unit price to be assigned to each of the elements involved. Records of these opinions were kept and have been of great service in the office in deciding upon the final unit prices to be assumed. In connection with this work, Messrs. Kellett and Johnson rendered service of great value. Both of these gentlemen are men of experience and excellent judgment, and having had experience, in many cases, in the very territory through which we were riding, they were able to take account of local conditions, and to give reliable and unprejudiced opinions. The superintendents and engineers of the Canadian Northern Railway were also of much service to us, telling us actual prices paid, actual values of farm lands, actual methods of construction employed and in other ways giving information of great value, all of which was noted and used in the final figures.

The field engineers were sent over all of the lines, and instructed to take a position at the rear of the train and take note as they went along, of every element of physical value which could be observed. While stopping at stations, they were to descend from the train, observe the rails, the spacing of ties, the character and depth of ballast, width of right of way, and any other elements which the time allowed. When longer stops were made, as at division points, they were to make sketches of the yards, buildings, and other property, with as much pertinent information as possible; they were to confer with division superintendents, engineers, track foremen, and any other railroad employees who could give them information; they were to make inquiries of railroad

officials, real estate agents and others as to unit prices, value of right of way and station grounds, and any other pertinent matter. If necessary, they were to travel several times over the line, observing each time only certain selected elements, or to return to division terminals or important towns, stopping over as long as might be necessary to gain necessary information. They were to ride on freight or passenger trains, and in some cases a gasolene motor car was put at their disposal, or they used hand-cars with the assistance of the track-gangs. In other words, by riding over the line and stopping as long as necessary at proper points, they were to make a physical inventory of the properties.

They were to observe the general character of bridges and other structures, the character and classification of material in cuts, the presence of borrow pits, the slope of the ground at cuts, the width of road bed, character of drains, presence of muskegs, or other points where difficulties were probably met in construction, the probable amount of clearing, character of telegraph lines, fences, and in short, they were to make note of any matters which were necessary in order to make it possible in the office with the aid of the lists, standard plans, and profiles, to inventory and value the physical property.

For this work engineering experience and good judgment were of course necessary. An experienced man, by riding over a line once, especially in the prairie section, would be very apt to note with reasonable accuracy all elements of value. In more difficult country several trips over the line might be necessary, each trip being devoted to the observation of certain particular elements. Station buildings and roundhouses were all built to standard plans designated by numbers, and all that was necessary was to note the number, so that afterward in the office the inventory and valuation might be made.

In all of this work the operating officials of the company co-operated most cordially, supplying the field men with information, providing them with transportation facilities, and in general, doing all they could to facilitate the work. My sincere thanks are due to the company and its officials for their attitude and their co-operation in these matters.

A special expert was engaged to estimate the value of buildings. In his hands were placed the standard plans as soon as received from the companies, and upon them he based his estimate of cost of reproduction. This expert travelled over a good portion of the lines, visiting at all events important terminals, and inventorying all buildings of every kind, and noting character of construction and any other elements affecting cost.

The plan of work adopted will be made clearer by the detailed instructions to field engineers, which were as follows:—

INSTRUCTIONS TO FIELD ENGINEERS.

(*a*) *General.*—The object of this bureau is to make a close valuation of the property of certain railroads in the Dominion of Canada. Great care must be taken to include everything that is owned by the railway companies.

Information obtained from any railroad company or any of its employees, or from local residents on any part of the line must be verified to the satisfaction of the inspecting engineer in the field. All employees must bear in mind that they are not in any way employees or agents of the railway company, and that they are to form their own conclusions without any regard to the purposes for which the valuation may be made.

Constant vigilance must be exercised to avoid ommission of hidden quantities or extraordinary cost conditions. It is desired to make as rapid progress as is consistent with good work, it must be borne in mind, however, that it is not attempted to make a minute detailed inventory, but conclusions must be arrived at from a careful analysis made of analogous conditions, applying these units of measurement thus carefully

a certained to other similar territory, noting during inspection such variations as can be observed or discovered.

(*b*) *Typical Mile.*—A statement will be furnished each inspecting engineer showing the quantities covered by such of the accounting classifications as are most nearly independent of the topography of the country. Each engineer must acquaint himself thoroughly with the method of preparation of this type and must have completely in mind at all times the elements of cost which have been included therein, and those which have been omitted on account of their variability. This type has been prepared from careful inspection and stated actual quantities found in long stretches of similar country, which have been averaged so far as the quantities are concerned to include the average amount of such quantities per mile. Tentative unit costs have been used in the preparations of the type for such items as are most nearly constant. These unit costs will be revised later and the variable features together with their cost will be added on the basis of the data gathered and the opinion of the inspecting engineer in each district. The inspecting engineer is to make full notes of variations from the typical mile, also of all property not covered by this typical mile, and also such estimate of unit costs or total costs as he may be able to form.

(*c*) *Method of Inspection.*—The entire line will be traversed by an inspecting engineer, generally using regular trains, sometimes using gasolene inspection car as may be supplied by the railroad company, and in isolated cases possibly by a special train using a business car. It may be necessary where trains are used to arrange with the railway company for a business car. The engineer should make his notes in such a manner that his attention shall be drawn as little as possible from a close observation of the property. (See *c*.) In occasional places it will probably be necessary for him to walk over the line, or parts of it, to secure the use of section-men's car.

Inspection made in the manner above described will not include large yards and terminals, which must in every case be handled by the engineer spending considerable time at the yard or terminal, having in his possession at the time the map of the same as submitted by the railway company.

The inspecting engineer having obtained from the railway company, generally through this office, such condensed data as he can carry with him, and having familiarized himself with the typical unit, should, in his field inspection, note carefully all divergencies from the standard type, both as to deficiencies and additions.

(*d*) *Elements of property.*—In the following paragraphs will be found notes relating to each classification given:—

(1) *Engineering.*—No attention will be paid to this item in field.

(2) *Right of way and Station Grounds.*—The railway company will furnish data relating to width of right of way and the extra width at stations. The inspecting engineer should, so far as practicable, roughly observe this width and make occasional note on his observation. Perhaps while stopping at some station he can pace the width. It is important, however, that he should make enquiry and obtain as accurate information as practicable, as to the *value* of adjoining land; not what it cost the railway company to obtain the right of way, but the present real value of adjoining lands for the purpose for which they are used. This statement applies generally to rural land. In the larger towns he should make more careful inquiry, if opportunity presents itself to do this on the trip; at least he should make every effort to do so. He should remember later, in the office, in making up right-of-way values, multiples will be applied to the basic values as above secured, to represent the additional value for railway purposes on account of severance, damages, cost of acquisition, etc. He should make every effort to secure sufficient data to form a definite opinion for any particular line in its entirety, leaving very little subsequent work in this category to

be done, otherwise the work will be very much delayed. It will be necessary for the inspecting engineer to stop at larger towns or cities for such time as may be necessary to gain the requisite information. (See *e*.)

(3) *Real Estate.*—This is an item for special investigation and will in general receive no attention from the inspecting engineer while inspecting lines, unless he can conveniently obtain information, in which case he should not omit to do so.

(4) *Grading.*—The inspecting engineer must note carefully the amount and character of work on each line. He will have with him the profile of the line, but it will not be practicable for him to note in each cut the classification of material. To attempt to do this would make it impossible in many cases for him to make any other observations, and his estimate, moreover, would be likely to be largely in error. He should, however, make general notes on each sheet as to the material in cuts, such for instance as "cuts all rock," "cuts mostly earth," or such other, general observations, as to quantities or material, as the case admits. From his inspection and from such other data as he may be able to secure, the office force will check up the information received from the company.

He should also be careful to observe and make notes relative to clearing and grubbing.

A sharp lookout should be kept for any stream diversions, retaining walls, riprap, cribbing, or bulk heads. Relative to these five items, if he is not able on his first trip to make sufficient notes to make the approximate estimate he should make inquiry from proper railroad authority and possibly in some cases visit the site again.

It will be necessary to keep a sharp lookout and make notes concerning muskegs, sink holes, and the like. The railroad company will furnish data relating to such places and show their location, but the inspecting engineer must make as careful observation as time permits. It will be necessary to be liberal in treatment of these matters for it is extremely difficult to determine after completing the line what work has been necessary in such places.

Care must be taken to note where there is more than one track in order that suitable roadbed width may be taken into account.

(5) *Tunnels.*—These will be special in every case except where they are very short and therefore of little consequence. The inspecting engineer will make note of all tunnels and character of lining, if any. In case of long tunnels, the railroad company will furnish complete data which will be turned over to the inspecting engineer for him to approximately check up.

(6) *Bridges, Trestles and Culverts.*—For our units of estimation, an amount per mile expressed in dollars will be determined from profiles for territory where culverts are small and infrequent. Usually a profile will give sufficient data.

The railroad company will furnish a list of all bridges showing character, quantity of steel and quantity of masonry. The inspecting engineer should check this list as he travels over the line. If he has no list, he will note character of each bridge.

(7) *Ties.*—Determine number of ties per mile by counting the numbers of ties per rail length at times when the train is stopped, being careful to note whether 30 foot or 33 foot rail is used. Also make inquiry where possible, of section foremen, roadmasters, or others. Note also approximately the kind of ties. If they are largely of one kind, or if mixed, make note of that fact. At close of day's work make a general note from your impressions, of the condition of the ties. Make note whether the turnouts have switch timber or are laid with the ordinary track ties. Make notes and secure data, from inspection or inquiry, of the size, kind and spacing of bridge ties. Note particularly if any treated ties or treated bridge timber is found and from inquiry or inspection make sufficient notes to determine quantity.

(8) *Rails.*—Note weight of rail per yard in main tracks, and in sidings if possible. At close of each day's work, make a note relative to the condition of rail.

(9) *Frogs and switches.*—From observations made during the day's work make notes at night relative to the kind of frogs, switch stands, switches, and as to their general condition.

Make note of any railroad crossings and roughly the angle and if possible note if it is made of ordinary rail, heavily reinforced, manganese steel or any special feature relating to the same.

(10) *Track fastenings and other materials.*—Make special observations during the day and record at night notes relative to type, length, number of bolt holes in angle bars, and in case any other type of joint is discovered, make note relative to same.

Note during inspection any guard rails on curves, bridges or in tunnels.

Note or secure information relative to the use of tie plates, rail braces or anti-creepers.

(11) *Ballast.*—Be careful to make sufficient notes of the different kinds of ballast so that a close approximation can be calculated from notes. More particularly note the kind of ballast and both from inquiry and observation determine its depth, note as so many inches under the tie.

From inquiry ascertain the approximate or average distance to haul ballast on any particular line, as this feature frequently adds very materially to the cost of ballast.

(12) *Track Laying and Surfacing.*—As this is entirely a labour item it can be arrived at readily in the office, but if there are any special or unusual features which make this item more costly than is customary, make notes and state carefully the reasons for conclusions arrived at.

(13) *Railway Tools.*—No attention need be paid to this on inspection trip.

(14) *Fencing Right of Way.*—Note with reference to all the line inspected each day whether it is fenced on one or both sides, and the character of the fence. If possible make brief notes concerning cattle guards and wing fences thereto, and any side fences at highway crossings.

(15) *Crossings and signs.*—Make such observations during his inspection as will enable him to make notes concerning approximate number of various kinds of signs, such as mile boards, whistle posts, station boards, crossing signs, etc. Note the existence and location of over or under crossings, gates, alarm bells, etc.

(16) *Interlocking and other Signalling Apparatus.*—Make general notes regarding apparatus coming under this heading and its character and location.

(17) *Telegraph and Telephone Lines.*—Observe and make such notes as may be necessary, stating whether such lines exist or not, the number of wires, the approximate number of poles per mile. Secure from proper railroad authority data with reference to number of instruments and other special apparatus coming under this heading.

(18) *Station Buildings and Fixtures.*—Make suitable notes relating to stations and accessory buildings. At each station note character and approximate dimensions of each building, platforms, and coverings:—

(a) For the usual customary small station existing at most points an estimate will be furnished and a proportional amount of same will be included in the typical mile.

(b) Where a more costly or more extensive station and other buildings exist, further data will be necessary to make a special estimate of same. In

such case make such notes as practicable without a special stop and later secure additional data if necessary from the main office, or from railway company. In most cases sufficient data will be furnished by the railroad company.

(c) At large stations and terminals this matter will be considered by a special engineer. Make a note for each day showing general condition of buildings as good, fair or poor.

(19) *General Office Building and Fixtures.*—The inspecting engineer will not consider this matter at all unless instructed to do so. He should, however, make note of such buildings.

(20) *Shops, Engine-house and Turn-tables.*—The railroad company will furnish complete data for all structures coming under this heading, and such information will be furnished to the inspecting engineer. He should, however, make general note of their existence, character and size.

Where these structures occur at terminals and at the larger places where inspecting engineer will probably stop in any event, he should make full notes concerning the structures as to size, kind, character of construction and any other special features to enable an approximate estimate of the value of the structures to be made.

(21) *Shop Machinery and Tools.*—The inspecting engineer will give no attention to items coming under this heading unless he is specially requested to do so, in which case a full list and description of the items will be furnished him in order that he may make an approximate check.

(22) *Water Stations.*—The inspecting engineer will note the location of water stations and information concerning their character.

If there are any special features, such as reservoirs, dams, or treating plants, he must secure from proper source sufficient information for an estimate of value to be made. The railroad company will furnish complete data regarding these matters, and in general it will only be necessary for the inspecting engineer to check such information.

(23) *Fuel Stations*—The inspecting engineer should note the location and character of all the fuel stations. Complete data will be furnished by the railroad company of all such stations, and in general it will only be necessary for the field engineer to check such data.

(24) *Grain Elevators.*—The inspecting engineer should make note of the location of any elevators belonging to the railway company, and if possible state kind of construction, capacity and type.

(25) *Storage Warehouses.*—Inspecting engineer should make note of the location of any storage warehouses, and if possible give approximate size and type of construction.

Buildings coming under this classification are not the ordinary freight warehouses where freight is received for shipment, but are houses in which merchandise is stored and which is operated as a storage warehouse solely.

(26) *Dock and wharf property.*—Make such notes as practicable.

(27) *Electric light plants.*—If the existence of any plants coming under this heading come to the knowledge of the inspecting engineer he should make note of it, and notify this office promptly of its location.

(28) *Electric power plants.*—If the existence of any plants coming under this heading come to the knowledge of the inspecting engineer he should make note of it, and notify this office promptly of its location.

(29) *Electric power transmission.*—If the existence of any plants coming under this heading come to the knowledge of the inspecting engineer he should make note of it, and notify this office promptly of its location.

(30) *Gas producing plants.*—If the existence of any plants coming under this heading come to the knowledge of the inspecting engineer he should make note of it, and notify this office promptly of its location.

(31) *Miscellaneous structures.*—Under this heading are included all structures which do not come specifically under some one of the previous classification. They should be noted in as great detail as the case warrants.

The typical unit includes an item to cover the occasional minor structures charged to this account.

(*e*) *Special details.*—The inspecting engineer will, before beginning his inspection, thoroughly familiarize himself with these instructions and with the pamphlet entitled "Classification of Expenditures for Road and Equipment," and will carry a copy of each with him.

He will also carry a 6-foot folding pocket rule.

He will also carry with him such data relating to the line, such as profiles, bridge lists, etc., as may be available.

He must plan his inspection with care, having reference to time schedules, the time necessary for stops in towns, etc., having in view the economical and expeditious prosecution of the work. If he goes over a line twice, once going and once returning, he should divide the work between the two trips; for instance, observing track going one way, and buildings the other.

In the course of his work, the inspecting engineer will probably be able to pick up items of information as to unit prices at the present time, fair average unit prices, and cost of certain elements. All such information should be noted, *together with its source.*

He should also note, on each line or portion thereof, the *general condition* of the property, whether it has been maintained in good operating condition, or whether it has been allowed to depreciate unduly. This should be noted on each sheet.

As soon as the inspection of a line is completed, the results should be sent, registered, to the office at Ottawa, in order that they may be examined and worked up.

Many of the items included in the various accounts are included in the typical unit. The primary features to be observed by the inspecting engineer are the items which vary or differ from that unit, or are not included in it, deductions or additions may be made as the facts require.

These items are the following:—

(2) and (3) Real Estate: Unit prices of these are, of course, subject to wide variation. The inspecting engineer can obtain much information on these matters, particularly in rural territory; but much will be obtained from the companies or will be secured elsewhere.

(4) Grading.

(5) Tunnels.

(6) Bridges.

(11) Ballast.

(14) Fencing.

(15) Crossings and signs, so far as concerns over or under crossings.

(16) Signals.

(18) Buildings.

(19) to (31) Special items.

For these items, more or less complete data will be furnished by the railroad company, and they should be carefully observed by the inspecting engineer, in order that a reasonably close check may be made.

If any items are overlooked be sure that it is the small ones, such as signs; and in any event give the least attention to the least important items.

Inspecting engineers should be in thorough harmony with the general plan and methods of this work, for only in this event can the best results be obtained.

Each inspecting engineer must report daily by mail to the head office, in Ottawa, stating the work done during said day, and must keep the central office informed as to where he can be reached by mail and by telegraph. If necessary, use the telegraph, but avoid such use as much as possible, and in the event of a long message being necessary, send night-letter or day-letter as circumstances dictate.

(*f*) The inspecting engineer should make note of all unnecessary work, specifically stating, if possible, its character and amount.

In the manner above described, all of the lines of the Canadian Northern Railway system, with the exception of the Halifax and Southwestern Railway in Nova Scotia, and the Niagara, St. Catharines and Toronto Railway, and all of the Grand Trunk Pacific, together with a few typical sections of the Canadian Pacific, were covered by our field engineers between the middle of October and the end of the year. Very fortunately for us, there was no snowfall until late in the season, and we were able to complete our work practically with no snow on the ground.

Since the beginning of 1917, the Niagara, St. Catharines and Toronto Railroad has been inspected, though under less favourable conditions, but no inspection has been made of the Halifax and Southwestern Railway.

While the above described work was being carried on in the field, information was slowly coming in from the railroad company. As fast as received, this information was worked up in the office. So-called typical units were prepared, the items of property being classified in accordance with the classification adopted by the Railroad Commission, and the values of certain standard items, such as rails, frogs and switches, track fastenings, and other items which might fairly be assumed as standard, were listed; variable items being left to be filled in after the completion of the field work. The standard items and the quantities of excavation were worked up from the profiles, plans of stations and sidings, rail maps, and other information received from the companies.

When the field men returned, therefore, all of this information was available and all the profiles received up to that time had been gone over and the quantities calculated, assuming the surface of the earth to be level. Each field man was thereupon assigned to the final computation of lines in his territory, based on the information which he had secured with reference to slope of ground and classification, the grading quantities were corrected, all the other items checked, and the special items inserted. The record for each line with all computations, was kept in a separate book, in the front of which was pasted the typical unit for that line with the average cost per mile, excluding items purely special, and at the end of each are computed the final cost of reproduction per mile of such line, and its total cost of reproduction, including overhead charges, together with the depreciation.

The final result for each line was entered upon a card, and the cards kept together in a filing case. These cards, together with the books, constitute a permanent record of the results for each line, and can be used in future as occasion may demand.

The following is an illustration of a typical unit and of the card which goes with it:—

COMMISSION OF INQUIRY INTO RAILWAYS AND TRANSPORTATION.

TYPICAL UNIT.

Canadian Northern Railway ..... *Saskatoon—Munson*
Single track. 302·5 miles.

		—	Depreciation.
		$	$
2 Right of way and station grounds		660	0
3 Real estate.—Special		0	0
4 Grading			
Clearing and grubbing	0		
Other grading items	$3,645		
		3,645	0
5 Tunnels—None		0	0
6 Bridges—None.			
Trestles, etc	$633	.....	253
Culverts, pipes, drains, etc	126	759	36
7 Ties, 2,985 per mile at 70 cents			
Bridge ties 1·8 M.B.M. at $55			
Switch ties 1·8 Turnout at $55		2,188	1,092
8 Rail (60 pounds), 104 tons at $39.02 per ton		4,058	1,189
9 Frogs and switches		49	15
10 Track fastenings and other material—			
110·3 % A. bars at $250.22 per mile =	$276		
110·3 % bolts at 48.05 per mile	53		
Spikes 3,000 ties at 2·6 pounds per tie = 78 cwt. at $2.73 per cwt. =	213		
Tie plates per mile at – each = –			
		542	163
11 Ballast, 1,646 cubic yards per mile at 75 cents per cubic yard in place		1,202	601
12 Track-laying and surfacing 110·3 % of a mile at $550 per mile plus (for lying) ·5 of a turnout at $50 each		632	316
13 Roadway tools, 1 outfit at $160 divided by 8		20	10
14 Fencing—right of way—2 fence miles at $250 per mile, plus cattle guards and gates		553	276
15 Crossings and signs		37	18
16 Interlocking and other signal apparatus, 10 % station semaphore at $40		4	1
17 Telegraph and telephone lines—1 mile at $300, plus 10 % for instruments, etc		337	112
18 Station buildings and fixtures		486	212
19 General office buildings—None.			
20 Shops, etc.—Special			
21 Shop Machinery—Special			
22 Water stations		234	58
23 Fuel stations		113	28
31 Miscellaneous structures		556	139
Maintenance and temporary work during construction		250	.....
Solidification and adaptation or deferred construction		320	64
Total		$16,645	.....
Cont. = 5% of total; Dep. of C. = 20% = % 1% of total.			
Depreciation of Contingency item		.....	166
Dspreciation per mile of track		.....	$4,658

NOTE—Where details are not shown, they may be found in detail book.

CANADIAN NORTHERN RAILWAY.

Card No.

(Main Line) Saskatoon–Munson V.S. 47 302·5 miles.

$16,645	(From typical unit) x 302·5 miles		$ 5,035,112
Special Items	Engine-house, turntable, etc., at Kindersley		47,055
	" " " Hanna		64,416
	Shop machinery at Kindersley and Hanna		19,377
	Interlocker and frogs M.P. 3 8 G T.P.		5,614
	Portion of Saskatoon Terminals property		97,500
			$ 5,269,074
Overheads:			
Total land, $660 x 302·5+$97,000	$ 297,150, 24% on land		71,316
Other Meas. Items	4,971,924, 27·2% on O.M.I.		1,352,363
	$5,269,074		$ 6,692,753

Rate per mile, $22,125.

Inspector: Balloch.

Statements: Chadbourn.

For details of overhead percentages, see pages 31-32.

(Back of card.)

LAND, INTEREST AND DEPRECIATION.

($16,645 660) x 302·5)		$ 4,835,462	
Special items other than land		136,462	
Total less land		$ 4,974,924	basic cost.
		297,150	land.
10% on basic cost	$ 497,192		
18% on land	53,487		
		550,679	interest.
17·2% on basic cost	$ 855,171		
6% on land	17,829		
		873,000	rem. overheads.
		$ 6,692,753	Total.
Depreciation ($4,658 x 302·5)	$ 1,409,045		
" Special items	34,114		
		1,443,159	
Estimated cost of reproduction less depreciation		$ 5,249,594	

DETAILED METHODS OF WORK.

The making of a physical valuation involves two distinct operations: (*a*) The determination of quantities; (*b*) the determination of the unit prices. The total value of each item is the product of the quantity and the unit price.

More detailed information with reference to the methods of obtaining these elements will be found in the report of the Chief Engineer, Mr. W. H. Chadbourn, which is attached hereto. A brief summary, however, may here be given.

(1) *Canadian Northern Railway System.*

(*a*) *Determination of Qualities.*—(Using classification of Railroad Commission.)

(2) *Right of way and Station Grounds.*

(3) *Real Estate.*

The right of way on these lines is practically uniform in width for many miles with an increase of width at station grounds for a definite length, all dimensions being standard. The location of stations being known, together with the standard widths, the number of acres of right of way, including station grounds, per mile, is easily obtained. At larger towns and cities where the companies possess terminal property or other real estate, maps were supplied showing location of such property. The areas were computed and tabulated and the values ascertained by special investigation.

(4) *Grading.*—No attempt was made to determine quantities of grading in the field. These quantities in the case of the Canadian Northern Railway were determined from the profiles, assuming first, that the ground was level, and then modifying this result on the basis of information noted by the field engineers. Classification of material was made on the basis of notes by the field engineers, and also the amount of clearing and grubbing. Overhaul was estimated on the basis of the profiles and the location, where, although the centre line would show no cut or fill, there was cut on one side and fill on the other.

(5) *Tunnels.*—Detailed information was in every case secured from the company relating to the length and cross-section of tunnels. Field engineers noted character of material.

(6) *Bridges, trestles and culverts.*—Lists of these structures were furnished by the railroad company, and lengths were taken from the profile. Weights of steel or quantities of timber were estimated from standard diagrams, those for timber trestles having been prepared in the office, giving quantities per foot-length for various heights, based on the standard designs. Small openings, such as pipe and box culverts, were all estimated from the profiles.

Track, including:

(7) *Ties.*

(8) *Rail.*

(9) *Frogs and switches.*

(10) *Track fastenings.*

(11) *Ballast.*

Quantities of these items were based on observations by the field engineers together with such information as was afforded by the profiles and maps of station grounds supplied by the company.

(12) *Tracklaying and surfacing.*—To estimate this, the mileage of sidings, as determined from the profiles, together with mileage of yard tracks, as determined from maps or by the field engineers, was added to the main line mileage and an allowance was made for an average number of turnouts.

(13) *Roadway tools* were estimated arbitrarily, this item being very unimportant.

(14) *Fencing.*—Quantities of this item were estimated from observations by field engineers.

(15) *Crossings and signs.*—This item, in general small, was estimated, based on general notes.

(16) *Interlocking and other signal apparatus.*

(17) *Telegraph and telephone lines.*

(18) *Station buildings and fixtures.*

(19) *General office buildings.*

(20) *Shops, etc.*

(21) *Shop machinery.*

(22) *Water stations.*
(23) *Fuel stations.*
(24) *Grain elevators.*
(25) *Storage warehouses.*
(26) *Dock and wharf property.*
(27) *Electric light plants.*
(28) *Electric power plants.*
(29) *Electric power transmission.*
(30) *Gas producing plants.*
(31) *Miscellaneous structures.*

All these elements of value were observed by the field engineers and their general character noted. Standard plans for structures and lists of all structures existing were submitted by the railroad company. These were compared with the records of the field engineers. Most of the structures were of standard type and all that was necessary for the field engineers to do was to note the type, as for instance, "Station Building, Type 5." At yards and terminals, where a large number of buildings existed, these were either noted by the inspecting engineer, or in some cases taken from the plans which had been verified in the field. Towards the end of the work, that is, during the month of February, complete lists of property were received from the railroad company. These were compared with the data which our field engineers had procured and which had been used in our estimates and which in most cases were found to agree closely. Where time permitted and there were discrepancies, some modification of our estimates was made.

On all the British Columbia lines of the Canadian Northern system, from Yellowhead pass to Port Mann, and the lines on Vancouver island, as well as branch lines under construction, we were supplied by the company with data showing the actual pay quantities, and these were used in the estimate.

(*b*) *Determination of Unit Prices.*

This being an estimate of the cost of reproduction of the properties, it was necessary to take unit prices which should represent fair average values in recent years; eliminating, however, all abnormal prices due to the war, and taking account also of any definite trend in prices.

In other words, in the case of articles the price of which has fluctuated from year to year previous to the war, but in which there was no definite trend of price, either up or down, the intention was to take a fair unit price during the period of say, three to five years previous to the war.

Certain articles, however, show a definite trend in price, so that although there are fluctuations from time to time due to variations in supply and demand and other causes, the average price may be gradually increasing or decreasing. In such case, in making an estimate of the cost of reproduction, the latest fair average price, independent of what might be called accidental fluctuations, should be taken. In the case of lumber, for instance, owing to the gradual diminution of supply, the fair average price has been gradually increasing during the last ten or twenty years. In such a case it would not be fair, in an estimate of the cost of reproduction, to take the average price for a period of years, but it would be more reasonable to take the most recent price, unless the same were abnormally high or low due to accidental causes. Some other materials have illustrated the case of a gradual decrease in price, subject of course, to accidental fluctuations; such, for instance, has probably been the case in general with cement, which during the past twenty years, with the great increase in American production, has gradually dropped in price, although there have been great fluctuations depending upon the extent of building operations, which themselves have

been largely dependent upon financial conditions. In the case of land, no account could of course be taken of what was clearly an unjustified land boom, although it might have been in steady progress for several years.

Speaking generally, therefore, the object sought has been to use fair unit prices prior to the war.

Taking up now the various items in order, the following brief statement may be made:—

(2) Right of way and station grounds.

(3) Real estate.

The unit prices for right of way were determined after inquiry made by the field engineers from all available sources, including assessors, real estate dealers, local residents, and railroad employees. A special engineer, Mr. N. Cauchon, was charged with the investigation of this subject at the larger cities and towns, including Montreal, Toronto, Ottawa, Winnipeg, and Port Arthur. At Edmonton, Calgary, and Vancouver, the field engineers made special investigations on these matters. Assessed valuations were obtained where practicable and compared with estimates received from other and independent sources.

The valuation of real estate has probably provoked greater discussion than any other in connection with valuation matters. Undoubtedly, much of the real estate now owned by the Canadian Northern Company was procured at a very low price. Nevertheless it is now very valuable, and in an estimate of the cost of reproduction its present value should be taken. At any rate, it has been taken. Of course, it may be objected to this, that the increase in value that has taken place since the original purchase has been due to the presence of the railroad, and that the whole idea of estimating the cost of reproduction by supposing the railroad to be removed, while other conditions, many of which are due to the presence of the railroad, remain the same, is an imaginary and impossible assumption. This is undoubtedly true; if the railroad were not in existence, property values would not be what they are, having been largely created by the railroad.

However no other method seems practicable. If the increase in real estate values, which applies to private properties as well as to railroad property, has been caused by the presence of the railroad, it may be urged that the railroad should not be deprived, in a valuation of its property, of the benefit of values which itself has brought about. It is true that the original cost was much less, but we are not estimating original cost. Here is one of the cases in which confusion between the two bases of value has frequently arisen and has rendered results misleading. It must be carefully observed, however, that in estimating the cost of reproduction although the railroad is supposed removed, it is not reasonable to assume that all other conditions remain in their present condition. Certain elements which would be clearly different if the railroad were removed, must be assumed to be different. For instance, alongside of a railroad in a farming or fruit district, a factory or canning establishment may have later sprung up, occupying land on both sides of the track, perhaps with buildings and sidings on both sides of the track, possibly with connections or pipes between the buildings, either over or under the track. Just back of the factory may be farm lands. Now in estimating the cost of reproducing that line, although the line must be taken in its actual present position, the right of way along these factory sites should not be estimated on the basis of manufacturing land, but as farm land. The factory followed the railroad, and was put where it is because the railroad was where it is. If the railroad had been 100 or 1,000 feet away, the factory would have been 100 or 1,000 feet away, alongside the railroad. If, however, the factory had *preceded* the building of the railroad, and the latter had been laid out *through the factory property,* then the right of way there should be based on the value of the land for manufacturing and not for farming purposes. This is another illustration of the fact that in estimating cost of reproduction, that reproduction must be assumed to be carried out essentially in accordance with the actual historical development of the property. It is not possible,

however, to always carry this principle through consistently, particularly in the case of an old road. A road built fifty years ago through a city, may have really determined the character of the right of way along its line. It may be at present of poor quality, with cheap lodging houses, while a mile away may be an expensive and exclusive residence district. If the railroad had been located a mile away, these districts might have been interchanged. Nevertheless, such transposition cannot be assumed in the valuation. This is one of the difficulties of the reproduction method, which like all methods, must be applied with judgment and good sense, carrying underlying principles as far as they are fairly applicable, and no farther.

I believe it justifiable, therefore, in an estimate of the cost of reproduction to estimate real estate values as at present existing, even though they are far below or in excess of the original cost, and have been brought about in some degree by the presence of the railroad. This, at all events, gives a consistent result, and, if criticized, it can be only, as already explained, on the ground that the real value may be neither the first cost nor the cost of reproduction, and that both elements may have to be considered in determining what that real value is.

Multiples for real estate value.—It has been customary in many valuations, after determining the fair price of real estate per acre or per foot, based on the value of surrounding lands for the purpose for which such lands are used or available, to multiply such values by a certain factor, varying according to circumstances, to obtain the figures to be used in estimating the value of the railroad property. The use of these so-called multiples is based upon the fact that when a railroad company buys property, requiring it in a continuous strip for right of way, and in particular locations, and of particular shapes for stations or terminals, it is as a rule, necessary for the company to pay a higher price,—and sometimes a very much higher price—per unit of area, than the land would be worth for the same purposes for which adjoining property is used. In buying right of way a railroad company crosses numerous parcels of property belonging to different owners, taking portions of each estate. Such takings may damage the remainder of the estate, as for instance, where the right of way separates a farm into two portions, or where it comes between a man's house and his barn, or where it destroys his well. Furthermore, even the presence of the railroad with its noise and smoke may be a real damage to the property. If a railroad company takes one acre from a farm of ten acres, the owner claims compensation much greater than one-tenth the value of what he would take for his entire farm, and in general, it is right that he should be paid more. In other words, the railroad company has to pay not simply for the land, but for consequential or severance damages to the remaining land.

Moreover, it is practically certain that in laying out a railroad there will be buildings on some of the right of way which will have to be moved or destroyed, for which of course the railroad company must and should pay. The fact that such additional cost cannot be estimated with accuracy, is no argument against its inclusion. The additional cost would unquestionably exist by the first cost method and should reasonably be allowed for by the reproduction method. That this is true will be perfectly obvious from the following illustration: In building its terminal in New York City, the Pennsylvania railroad was obliged to purchase several entire blocks, with the buildings upon them, paying, of course, not only for the land but for the buildings. The latter were immediately destroyed and the terminal building erected. Now, in the case of a new property like this, the orginal cost and the cost of reproduction will be identical. The first cost would, of course, include the cost of the buildings which had been destroyed and which find no place in the inventory of the property. If, therefore, by the cost of reproduction method, the land is simply taken at its value or cost, the value of this piece of property is much underestimated.

Sometimes, too, an owner will "hold up" a railroad company, demanding an extremely high price for a small parcel, and juries in such cases are often liberal

towards owners in awarding damages. It is also unquestionably right that if a man's property is taken away from him against his will, he should be paid a sum which under no circumstances would be *less* than its fair value, and which, therefore, would generally be *more* than its fair value. Moreover, if a portion of a man's land is taken, it is easy to see that the value of the remaining land may be much less than in the proportion which its area bears to the total original area. If a railroad takes half my farm, the remainder may be worth nothing to me. Frequently the fair damages for the taking of a portion of a piece of property would be greater than the value of the entire property. This is well recognized in the principle which allows no excess condemnation of lands for public improvement in cities.

Since the decision of the United States Supreme Court in the Minnesota Rate Cases, June 9, 1913, the situation with reference to the valuation of real estate and right of way in an estimate of the cost of reproduction, has been quite uncertain. The court said:—

> "Assuming that the company is entitled to a reasonable share in the general prosperity of the communities which it serves, and thus to attribute to its property an increase in value, still the increase so allowed, apart from any improvements it may make, can not properly extend beyond the fair average of the normal market value of land in the vicinity having a similar character. Otherwise we enter the realm of mere conjecture. We therefore hold that it was error to base the estimates of value of the right of way, yards, and terminals upon the so-called railway value of the property. The company would certainly have no ground of complaint if it were allowed a value for these lands equal to the fair average market value of similar land in the vicinity, without additions by the use of multipliers, or otherwise, to cover hypothetical outlays. The allowances made below for a conjectural cost of acquisition and consequential damages must be disapproved; and in this view we also think it was error to add to the amount taken as the present value of the lands the further sums calculated on that value which were embraced in the items of "Engineering," "Superintendence," "Legal Expenses," "Contingencies," and "interest during construction."

This statement, however, may be considered to be merely a disapproval of the cost of reproduction as the real value, and not as implying that in an estimate of the cost of reproduction no multiples should be used. Certainly an estimate of value should be one thing or the other—either the cost of the reproduction (with or without the deduction of depreciation, according to circumstances) or the original cost (with or without depreciation). The true value is to be determined by the court or other determining agency on the basis of estimates, and these estimates should be either the original cost or the cost of reproduction. In estimating the cost of reproduction, it is perfectly clear that the right of way should be taken as of greater value than merely that of adjoining lands, because such value would be less than it would cost to reproduce the property, since consequential and severance damages ought to be paid and would have to be paid, in addition to a higher price for the land itself than the value of adjoining lands, for the reasons: (1) that it is taken from the owner without his consent, and (2) that only a part of his property is taken and the value of the remainder impaired.

The above considerations indicate clearly, to my own mind, at least, that the reproduction value of land must necessarily include some factor or multiple by which the fair value, if based upon the value of adjoining lands, should be multiplied. If the original cost is obtained, that original cost will surely include such multiple. What the multiplier should be is uncertain, and there is nothing to determine it except judgment and experience. Instances of actual lines which have been constructed in the United States through farming districts, have shown that the railroad company has paid for

its right of way on the average, four or five times the fair value of adjoining land for farm purposes. In cities and towns also, a railroad company taking land by right of eminent domain, must, as a rule, pay in excess of its fair value; the multiple, however, being different from that in the case of farm lands.

In the present estimate, therefore, I have continued to use multiples for real estate values. If your Board should consider them unjustifiable, the estimate may easily be modified accordingly. The multiples which I have used are moderate, and much less than those which have been used in some other valuations. For the major portion of the right of way, the multiple has been two; in other words, the unit price of the right of way has been taken as twice the value of adjoining lands for the purposes for which such lands are used or available; while in cities and towns the multiple has been one and one-quarter; in other words, the value of the land has been taken at 1.25 of the value of adjoining property for the purposes for which such property is used or available. In some cases, as in large cities where special investigations were made, no specific multiples were used; or, to express it in another manner, the figure given as the fair value includes the multiple, and is our estimate of what the company would have to pay, without obtaining that figure by taking another figure and multiplying it by a factor.

Items 4-17.—The unit prices for grading of the various classes, clearing, grubbing, tunnels, bridges, ties, rail, frogs and switches, track fastenings and other material, ballast, track laying and surfacing, roadway tools, fencing, crossing and signs, interlocking, and telephone and telegraph lines, were determined after careful consideration and from comparison with actual contract prices, consultations with Messrs, Kellett and Johnston, as heretofore explained, discussions with the members of the engineering staff, comparison of data obtained by the field engineers, consideration of charges for freight, unit prices at mills, location of ballast pits, and indeed all pertinent information which was available. These unit prices were varied on different lines with due regard to local conditions, and the historical development of the property. In other words, a line built through a territory already occupied by another line, would have certain unit prices lower than those for the latter line, which, when built, had to construct its own roads, often through difficult ground, for transfer of materials and supplies. For this reason some of the unit prices for the Canadian Northern lines in territory through which the Grand Trunk Pacific had previously been built, have been taken somewhat lower than corresponding prices for the Grand Trunk Pacific. The endeavour has of course been made to arrive at unit prices which were fair and while perfection in this respect cannot be obtained, it is believed that the prices used can be subject to but little criticism.

Items 18-31.—A special engineer or architect was employed to examine the standard plans of all structures, except bridges and culverts, and to prepare estimates of the cost of reproducing the same. This engineer, Mr. Horner, visited many of the important points on the line, checking up the standard plans and informing himself with reference to unit prices, and finally made complete estimates of cost of all the standard structures.

There is but one grain elevator owned by the Canadian Northern System, namely, that in Port Arthur. This is an elaborate structure, said to be the finest and most complete grain elevator in the world. Its cost was estimated by Mr. C. D. Howe, consulting engineer and former student of the writer, and until within two years engineer for the Board of Grain Commissioners of Canada. Mr. Howe's experience, extending through a number of years in the design and construction of structures of this kind, in which he has probably had as great experience as any man in Canada, made his opinion as to the cost of reproduction of this elevator very interesting. His estimate was about 12 per cent greater than the cost as reported by the company, substantiating, therefore, to this extent, Mr. Horner's estimates for other structures which ran from 10 to 25

per cent in excess of the costs submitted by the company. This excess was due, no doubt, to increased prices since the structures were built, and the fact that many of the structures were built by the railroad company, which made no charge on its books for haulage of material.

In addition to the numbered items on the Typical Unit sheet, two other items have been added which should be explained, namely: "Maintenance and Temporary Work During Construction," and Solidification and Adaption," or "Deferred Construction."

Maintenance and Temporary Work During Construction.—A contractor for a portion of a railroad line has to lay and maintain track until it is accepted by the company. After it is accepted, it will probably be used for some time for the transportation of materials, etc., to sections lying beyond. For this purpose it has to be maintained by the railroad company at a cost greater than the average cost of maintenance of a line after the grading has come to a state of equilibrium. The cost of such maintenance should fairly be charged to the cost of the work. It is an operating expense that is not met by any corresponding revenue. In the present valuation an allowance of $250 per mile has been made for this item.

"Solidification and Adaptation": in other words "Deferred Construction."—After an entire line is put into operation, its maintenance will be more costly for a term of years than later, because for a certain period there is a settlement of embankments, a washing-in of the slope in cuts, a filling up of ditches, and other sources of expense, which disappear after a term of years when the work has reached a state of equilibrium; that is to say, a railroad line after being put into operation would soon show an undulating profile due to the settling of the fills, and such sags have to be taken out by raising the track and putting in new material. Oftentimes the ballast is lost in this way, as new earth has to be put in above existing ballast, and new ballast on top of that.

This item is a proper charge to construction. Its amount, like all others, is uncertain. In the valuation of the railroads of Minnesota in 1908 the engineer's report allowed a total of nearly $12,000,000 for this item out of a grand total, not including equipment, of about $339,000,000, or, about 3½ per cent of the total. Explained otherwise, the allowance for this item was nearly $1,200 per mile. The proper amount of this item should vary with the amount of grading, increasing with the amount of earth-work. It should also vary to a certain extent, with the length of the line, independent of the amount of earth-work. In other words, the charge per mile should be a constant plus a certain fraction of the cost of grading. After careful consideration, the formula $200+1/30 of the cost of grading, has been generally adopted for this item. It gives results much lower than those used in Minnesota, and lower than those which have been used in many other valuations, and very likely it is too low. For a light prairie line, where the grading costs about $4,500 per mile, this item therefore amounts to $350 per mile, while for a mountain section, where the grading amounts to $45,000 per mile, it would amount to 1,700 per mile. This latter would seem to be too much, for the reason that in such sections the fills would be largely of rock, and the settlement would be less than in the case of earth. The formula was therefore modified according to local conditions, and in some cases was made $200+1/60 of the cost of grading. Like the other elements of a valuation, it is incapable of exact determination. The main point is, that it was taken as $200 per mile plus a varying fraction of the cost of grading. I am convinced that our total allowance for this item is low.

It should be added that where the field examination of a line showed the sags had not been taken out, or ditches kept open—in other words, that the expenditures contemplated by this item subsequent to completion of the line had not been made—the item was either not included at all or reduced to such amount as the field engineers considered proper.

II. Grand Trunk Pacific Railroad.

In the valuation of the Grand Trunk Pacific Railroad, inasmuch as the quantities had been estimated and officially approved by the Government through its consulting engineer, Sir Collingwood Schrieber, were on file, these quantities were assumed in our estimate as correct. There was no occasion for us to go over work which had already been done by another branch of the Government, and without doing so we were of course not in a position to criticize the results obtained.

With reference to unit prices, however, we used figures which we considered reliable, without any reference to those which had been paid, although the latter were available. It was found that in the construction of the Grand Trunk Pacific, the work had been let in sections, and that the unit prices for the same items, even in adjoining sections, varied substantially from each other. This of course was to be expected, and resulted, in some cases from a desire on the part of the contractor to substitute his own judgment, with reference to estimated quantities, for the preliminary estimates of the engineers. I understand that bids for each section were let on the basis of the total cost, computed on preliminary estimates of quantities. Such a preliminary estimate, for instance, might have shown 500,000 cubic yards of earth excavation, and 50,000 cubic yards of rock excavation. After examining the ground, however, the contractor might have come to the conclusion that the amount of rock excavation would much exceed the estimate, while the amount of earth excavation would be much below the estimate. He might, therefore, bid a low price for earth and a very high price for rock, and yet be the lowest bidder on the basis of the estimated quantities; and if his judgment as to the relative amounts of earth and rock should prove correct, he might make a very large profit, since he would be paid the amounts bid per cubic yard for the actual quantities excavated.

Furthermore, I was informed that in certain contracts on this line, the prices had been changed after the contracts had been let, and that these prices had been made retroactive. Apparently the conduct of the work itself was not under Government supervision, although the Department of Railways, as previously stated, estimated and approved the total quantities paid for.

The unit prices for the Grand Trunk Pacific were therefore fixed, in the present estimate, in the same manner as for the Canadian Northern, sometimes varying from the latter, however, even in the same district, on account of local conditions or historical development.

OVERHEAD CHARGES.

The elements of value which have been referred to hitherto, represent only the physical elements of the property. In addition to these, however, there are other elements, involving costs which are just as tangible as the cost of the physical elements, namely, the so-called overhead charges, which include contingencies, engineering, legal expenses, promotion, organization and administration, interest during construction, taxes and insurance during construction, commissions or cost of financing and securing the necessary capital. These are all proper and necessary expenses and must be incurred. They would, therefore, enter into the first cost and should be included in an estimate of the cost of reproduction.

(*a*) *Contingencies.*—This item covers, in general, all uncertainties in the estimates of quantities and unit prices. It is unavoidable that in making an inventory of a property some items will be left out, perhaps because they are unseen or underground. There are also uncertainties of many kinds, as for instance, with reference to the foundations of bridges, in which case the character of the underlying soil, the method of constructing the foundation, and even the dimensions may be uncertain unless original plans are available.

Again, accidents of greater or less seriousness are practically certain to occur in connection with any work, involving costs of greater or less magnitude. Furthermore, temporary structures may be required during the construction and large quantities of material may be used in fills over soft ground which no inventory or surface examination would disclose. There are many instances of this on the lines which we have considered, where so-called muskegs have caused large expense which is not included in the valuation of tangible or visible items. Liberal allowances have been made for muskegs and other cases of hidden quantities, and these allowances together with the allowance for contingencies, in my opinion, fully cover these uncertainties.

If the valuation of a property is based upon an inventory of those things only, which can be seen or discovered from original plans, it is almost certain to be too low. Suppose, for instance, that fifty years from now a valuation should be made of the Quebec Bridge. The 10,000 tons of steel lying at the bottom of the river would not be observed and perhaps would be forgotten. Accidents for which nobody can be blamed are likely to occur, and represent a certain or uncertain cost which is always included in the total.

It is sometimes argued that no allowance for contingencies should be made in the valuation of an existing property, although such allowance is reasonable in an estimate of cost made before the property is constructed. My own opinion is that an allowance for contingencies is probably more justified in the former case than in the latter, although it is fully justified in both.

The amount of this allowance should vary with the complexity of the property, its character, the possible uncertainties in the valuation, and other elements. In the present valuation I have allowed for contingencies, 5 per cent on the Canadian Northern lines for the Prairie Division, 6 per cent on the lines east of Port Arthur, where there are more uncertainties, and 2 per cent in British Columbia where the actual pay quantities were known and were assumed in this valuation.

On the Grand Trunk Pacific, inasmuch as the actual pay quantities were assumed, the allowance for contingencies was 2 per cent in the Mountain section and 3 per cent in the Prairie section.

(*b*) *Engineering.*—This includes the making of all preliminary investigations and plans, as well as the final plans, and the engineering supervision of all construction and other work.

The probable allowance for this item is, of course, like the others, very variable, depending upon the difficulty, character and extent of the work. For a railroad in a mountainous region, the actual cost of engineering would be much greater than for a railroad in a Prairie region, but on account of the greater cost of the former line per mile, it might be a smaller percentage of the total cost. On large undertakings the percentage for engineering will generally vary between 5 and 10 per cent.

In the present valuation it has been taken at 5 per cent for the Canadian Northern on the Prairie Division; 6 per cent on the main lines east of Port Arthur; 5 per cent on branches; and 5 per cent in British Columbia, the percentage here being less than on lines east of Port Arthur, on account of the much larger cost per mile of the line in British Columbia. In other words, on the Prairie lines we have allowed for engineering about $1,000 per mile and on the Rocky Mountain section about $3,500 per mile.

On the Grand Trunk Pacific it has been assumed at 5 per cent throughout.

(*c*) *Legal Expenses.*—This item includes the salaries and expenses of law officials, costs of litigation, and any other legal expenses which may be incurred. It may be a very small item or a very large one, depending upon the character of the property and the circumstances attending its construction. This item does not include the cost of acquiring land, which is included in the valuation of right of way and real estate. In this estimate legal expenses have been assumed at one per cent.

(*d*) *Promotion, Organization and Administration.*—The cost of promotion is certainly a proper charge against an undertaking. It is necessary for some one to take the initiative, and procure the necessary information, interest financiers and others, and so initiate the work. Next comes the cost of organization, which includes the incorporation and organization of the company, the securing of franchises and similar steps, all of which cost money. After the organization of the project is its administration throughout the period of construction, including salaries for general officers, agents, accountants, clerks, and all other employees not included in the engineering and legal departments, and all administration expenses for materials, stationery, printing, travelling, etc.

In the present valuation this item has been assumed at one per cent, except in both lines in British Columbia, where it has been taken as three-fourths of one per cent.

(*e*) *Taxes and insurance during construction.*—Certain expenditures are necessary under these heads. In the present valuation, in the absence of more definite information, they have been assumed as one per cent, and one-half per cent in British Columbia and on branches in the East.

(*f*) *Interest during construction.*—An important overhead charge is the interest on money borrowed or invested in the property during the period of construction. It is unquestionably a proper charge. Its amount involves an assumption as to the rate of interest and the period of construction. The rate of interest must be that which would be charged in the case of a new company, and not the rate which the same company could command after its success and credit has been established.

In the present valuation the interest rate has been assumed at 6 per cent and the period has been varied, as shown in the tabulation of overhead charges which follows.

(*g*) *Commissions.*—The cost of financing and securing the necessary capital with which to carry out the enterprise is a necessary cost. This does not include discount on securities, which I do not regard in general as a proper overhead charge, but simply as an adjustment of interest, which should be amortized after the completion of the work.

If a company sells its 5 per cent long term bonds at 80, it could probably sell its 6·5 per cent bonds at par. If it adopts the former course, the fact that it receives only $8 in cash for every $10 par value of securities, has nothing to do with the valuation of the property. In the case of any given company at a given time, the total annual charge involved in a bond issue, for interest and amortization will be very nearly the same, no matter what the interest rate carried, the term and the price at which the bonds are sold. If fifty year 5 per cent bonds are sold at 80, the investor, assuming that he holds the bonds to maturity, may be said to receive 6·25 per cent interest, plus a sum which, if contributed annually and put at interest, will amount to $20 in fifty years, or something like 0·25 of one per cent, a total of about 6·5 per cent. At all events, the company, if it provides for amortizing the discount, as it should, will provide this sum out of earnings. During the fifty years, if the credit and financial stability of the company remain good, the price of the bonds should gradually rise to par. Under the same circumstances, 6½ per cent bonds should bring par. The company has the option of issuing bonds at par, or lower rate bonds at a less price; in either case, if provision is made for amortizing the discount, as should be made, the total charge for interest will be the same, no matter what the rate of interest or discount. If bond discount were allowed in the physical valuation, the company might boost the value of the property to almost any extent, without increase of annual interest charge, simply by selling securities at a discount.

It is not intended to question the fact that it is frequently wise to sell bonds at a discount, nor, that it is sometimes desirable to give shares of stock as a bonus with

a block of bonds. Such transactions, however, are merely part of the methods of financing, and have no bearing on the physical valuation.

It is proper, however, to charge a fair percentage to cover the expenses of interesting financiers, paying for such examination or investigation as they may desire to make before underwriting and the proper expense of marketing the securities. In the present valuation the allowance for commissions has been taken at 3 per cent. While this may be generally low for a new property, yet in this case I think it ample, considering that the bonds in this case carried a Government guarantee.

Some of these overhead charges apply not only to the valuation of the physical elements, but to some of the other contingencies. For instance, the cost of engineering is a percentage of the cost of the work including contingencies; the charge for interest is for interest on the money expended, not only for the physical items, but for contingencies, engineering, etc. The charge for commissions is a certain percentage on the total amount of capital invested in the property, including all other overheads and, indeed, including itself.

These overhead charges can only be estimated approximately, and they would undoubtedly vary in the same property depending upon the date of construction, or the engineer in charge, or the promoter, or the fiscal agent. All that can be done in a valuation is to allow reasonable amounts. The total of these overheads, however, amounts to a considerable sum, so large as to be surprising to those who have not given attention to this phase of the question, or who have the idea that a property only costs what is necessary to pay for steel or concrete or land or other physical property.

The following tables show the method by which the overhead charges in the present valuation have been determined, and the percentage used.

In these tables, unity (1) represents the total estimated cost of reproduction of the physical items, without any allowance for overhead charges. If 6 per cent is allowed for contingencies, then the total, with this allowance, will be 1·06: If 6 per cent is allowed for engineering, this 6 per cent is computed on the total with contingencies, namely, 6 per cent of 1·06, which equals ·0636, which, added to the previous total (1·06), gives a total, including contingencies and engineering, of 1·1236. In this manner the total overhead charge has been computed.

On the Prairie Division, where the grading was less, and where there were not so many hidden or uncertain items, allowance for contingencies was taken less than in the Eastern Division, where there were more muskegs and generally greater uncertainty.

The principal item of overhead charge is interest. In order to estimate this, a programme of construction had to be assumed. We assumed that the main line would be constructed in three years, and that the payments would be made practically uniformly throughout that time. The interest charge would, therefore, be an average period of one and one-half years on the whole expenditure. We assumed the interest rate at 6 per cent, making the total interest charge 9 per cent on the entire expenditure including previous overheads listed in the table. For Branch Lines, we assumed that the period of construction would be one and one-third years, or practically two working seasons, making the aggregate period two-thirds of a year, which at 6 per cent would make the interest charge 4 per cent on the total cost, including previous overheads.

With reference to the land values which we have allowed in our estimate of the cost of reproduction, it has already been explained that, for the right of way in general, we allowed double our estimated value of adjoining lands. To this has been added, for overhead charges for the main line, 24 per cent. Our estimate, therefore, of the cost of reproduction, is practically two and one-half times our estimate of the fair normal value of adjoining lands. In cities we have allowed for the cost of reproduction, about 25 per cent in excess of the value of adjoining property which, with the addition of 24 per cent for overhead charges, makes our estimate of the cost of reproduction 1·55 times the fair normal value of adjoining property.

There is no question, in my mind, that our estimate of the cost of reproduction of the right of way and real estate is liberal, and not fairly open to criticism as being too low. If anything, I believe it is high. It must be borne in mind, however, that this estimate includes all costs of acquisition, including damages, and it is intended to be an estimate of what it would cost to acquire these properties under normal conditions. It must be borne in mind also, that much of this right of way when the railroad was constructed, was in undeveloped territory of little value; and, indeed, that much of it is still of very small value.

CANADIAN NORTHERN RAILWAY.

Eastern Division, Main Line, East of Port Arthur.

OVERHEAD CHARGES.

	Total without overheads=1. Total.
A. *On all items except land*—	
(*a*) Contingencies, 6 p.c.	1·06
(*b*) Engineering, 6 p.c. on 1·06	1·1236
(*c*) Legal, etc., 1 p.c. on 1·06	1·1342
(*d*) Administration, 1 p.c. on 1·07	1·1449
(*e*) Taxes, say 1 p.c.	1·1549
(*f*) Interest, 3-year period, say, 9 p.c. on 1·1549	1·2588
(*g*) Commissions, 3 p.c. on 1·2588	1·2966
Say, 30 p.c.	
B. *On land*—	
(*a*) Administration, etc., 1 p.c.	1·01
(*b*) Taxes, 3 years at ½ p.c.=1½ p.c.	1·025
(*c*) Interest, 3 years at 6 p.c. equals 18 p.c. on 1·025	1·2095
(*d*) Commissions, 3 p.c. on 1·2095	1·2458
Say, 24 p.c.	

CANADIAN NORTHERN RAILWAY.

Prairie Division, Main Line.

OVERHEAD CHARGES.

	Total without overheads=1. Total.
A. *On all items except land*—	
(*a*) Contingencies, 5 p.c.	1·05
(*b*) Engineering, 5 p.c. on 1·5	1·1025
(*c*) Legal, etc., 1 p.c. on 1·05	1·1130
(*d*) Administration, 1 p.c. on 1·06	1·1236
(*e*) Taxes, say, 1 p.c.	1·1336
(*f*) Interest, 3-year period. Average 1½ years at 6 p.c. equals 9 p.c. on 1·1336	1·2356
(*g*) Commissions, 3 p.c. on 1·356	1·2727
Say, 27·2 p.c.	
B. *On land*—	
As on Eastern Division, main line, 24 p.c.	
NOTE: Special terminal appraisals made by special engineer include all overheads	

CANADIAN NORTHERN RAILWAY.

Eastern Division, branch lines east of Port Arthur.

OVERHEAD CHARGES.

	Total without overheads=1. Total.
A. *On all items except land*—	
(*a*) Contingencies, 6 p.c.	1·06
(*b*) Engineering, 5 p.c. on 1·06	1·113
(*c*) Legal, 1 p.c. on 1·06	1·1236
(*d*) Administration, 1 p.c. on 1·07	1·1343
(*e*) Taxes, ½ p.c.	1·1393
(*f*) Interest, ½ (1-year period), say 4 p.c. on 1·1393	1·1849
(*g*) Commissions, 3 p.c. on 1·1849	1·2204
Say, 22 p.c.	
B. *On land*—	
(*a*) Administration, 1 p.c.	1·01
(*b*) Taxes, 1 year at ½ p.c.	1·015
(*c*) Interest, 1 year at 6 p.c., 6 p.c. on 1·015	1·0759
(*d*) Commissions, 3 p.c. on 1·0759	1·1082
Say, 11 p.c.	

CANADIAN NORTHERN RAILWAY.

Prairie Division, branch lines.

OVERHEAD CHARGES.

	Total without overheads=1. Total.
A. *On all items except land*—	
(*a*) Contingencies, 5 p.c.	1·05
(*b*) Engineering, 5 p.c. on 1·05	1·1025
(*c*) Legal, etc., 1 p.c. on 1·05	1·1130
(*d*) Administration, 1 p.c. on 1·06	1·1236
(*e*) Taxes, say 1 p.c.	1·1336
(*f*) Interest, 1-year period; ½ year at 6 p.c. equals 3 p.c. on 1·1336 say 4 p.c., on 1·1336	1·1790
(*g*) Commissions, 3 p.c. on 1·1790	1·2143
Say, 21·5 p.c.	
B. *On land*—	
(*a*) Administration, etc., 1 p.c.	1·01
(*b*) Taxes, 1 year, ½-p.c.	1·015
(*c*) Interest, 1 year, 6 p.c. on 1·015	1·076
(*d*) Commissions, 3 p.c. on 1·076	1·108
Say, 11 p.c.	

CANADIAN NORTHERN RAILWAY.

In British Columbia.

OVERHEAD CHARGES.

	Total without overheads=1. Total.
A. *On all items except land*—	
(*a*) Contingencies, 2 p.c.	1·02
(*b*) Engineering, 5 p.c. on 1·02	1·071
(*c*) Legal, etc., ¾ p.c. on 1·02	1·0787
(*d*) Administration, ¾ p.c. on 1·0275	1·0864
(*e*) Taxes, ½ p.c.	1·0914
(*f*) Interest, 3-year period equals average 1½ year, 9 p.c. on 1·0914	1·1896
(*g*) Commissions, 3 p.c. on 1·1896	1·2253
Say, 23 p.c.	
B. *On land*—	
(*a*) Administration, ¾ p.c.	1·0075
(*b*) Taxes, 1 p.c.	1·0175
(*c*) Interest, 3-year period, 18 p.c. on 1·0175	1·2006
(*d*) Commissions, 3 p.c. on 1·2006	1·2366
Say, 23 p.c.	

GENERAL REMARKS.

From the foregoing description of the methods of valuation employed and the time allowed for the work, it may perhaps be inferred that the results are so inaccurate as to be unreliable. I do not, however, consider such to be the case. There are undoubtedly certain elements of these properties, for the accurate estimation of which additional time would be desirable, and our figures would undoubtedly be modified if a more thorough study could be made. Such, for instance, is probably the case with some of the real estate values, and certain lines which it has not been possible for us to examine with the care which would be desirable. However, I am convinced that Mr. Cauchon, who has estimated the real estate values in the large eastern terminals, as well as the field engineers who have estimated right of way and the western terminals, have handled their work with great skill and discrimination, and with the sole desire of arriving at the truth, and I feel well satisfied with their results.

On the whole, I long ago became convinced of the fact that in making a physical valuation it is not desirable to go into extreme detail, in view of the many sources of inaccuracy, and the impossibility in any case of arriving at an exact result, and the

further uncertainty, after the final valuation has been completed, as to what the courts or determining body will decide to be the fair value. Many people delude themselves with the idea that a lot of figures necessarily means exactness. In this as in other computations, much depends upon the skill and good judgment with which the work is carried on and the various prices and percentages determined, and if skill and good judgment are exercised, while individual results may be largely in error, such errors will largely compensate each other in the total, and the final result may be very close to the truth.

The present valuation has afforded several remarkable instances of such agreement, which may be mentioned.

1. On the Canadian Northern Railway, the section from Rideau Junction to Current, a distance of 595 miles, was established by us on the basis of our field inspection. After our final figures had been obtained, it was learned that the Government Department of Railways and Canals had upon its books official figures for this line. The following table gives a comparison of these figures. It will be observed that our total cost, including contingencies, representing the cost of reproduction of the physical elements without overheads, was four-tenths of one per cent in excess of the figures given by the Department of Railways and Canals, the actual difference being but $125,571 out of a total of nearly $34,000,000.

Our estimate of engineering was slightly less than the actual figure on the books of the department, and our estimate of interest during construction slightly greater than theirs. Our total cost, excluding legal expenses, administration, taxes and commissions was 2 per cent in excess of theirs. To this we added overhead charges which were not included in their estimate. This is a remarkable agreement, particularly with regard to the physical items, the engineering and in the interest during construction.

CANADIAN NORTHERN RAILWAY.

Rideau Junction—Current, 895 miles.

Comparison of estimate made by the Commission of Inquiry from field inspection with statements by the Department of Railways and Canals taken from the Canadian Northern Railway Company's books and final estimates of May, 1916.

	Total.		Difference.	Per mile.		Difference.	Per cent.
	Commission of Inquiry.	Department Railways and canals.		Commission of Inquiry.	Department Railways and Canals.		
	$	$	$	$	$	$	$
Basic cost	31,875,930	33,284,810	−1,629,880	35,615	37,190	−1,575	−4
Contingencies	1,916,505	382,054		2,141	427		
Subtotal No. 1	33,792,438	33,666,864	+ 125,571	37,756	37,617	+ 139	+4/10
Engineering	2,031,495	2,380,973		2,270	2,660		
Subtotal No. 2	35,823,930	36,047,837	− 223,907	40,026	40,277	− 251	−6/10
Maintenance and deferred Construction	896,790	As me none		1,002			
Subtotal No. 3	36,720,620	36,047,837	− 672,783	41,028	40,277	− 751	+ 2
Interest during construction	3,442,380	3,254,143		3,846	3,635		
Subtotal No. 4	40,163,000	39,301,980	+ 861,020	44,874	43,912	+ 962	+ 2
Other overhead charges	2,391,678	248,375		2,672	277		
Grand total	42,554,678	39,550,356	+3,004,323	47,546	44,189	+3,357	+ 8

Contingencies—Commission of Inquiry gives 6% on basic cost, less land; Department of Railways and Canals' item consists of difference between total ledger cost and cost computed on unit price basis.

Interest during Construction—Commission of Inquiry give 9% (½ 3-year period at 6%) on Subtotal No. 3 plus legal and Administration Expenses. Department of Railways and Canals give ledger cost.

Engineering—Commission of Inquiry gives 6% on Subtotal No. 1, less land; Department of Railways and Canals give ledger cost of same.

Maintenance—during and *Deferred Construction*—Commission of Inquiry give:

Maintenance during Construction	$ 250
Solidification and Adaptation, $200 plus 1/30 grading cost	752
Per mile	$1,002

Department of Railways and Canals do not include anything for this item.

Other Overhead Charges—

Legal Expenses	1% on Subtotal No. 1,
Administration	1% on " No. 1 plus Legal Expenses.
Taxes	1% on basic cost.
Commission	3% on Subtotal No. 4.

CANADIAN NORTHERN RAILWAY SYSTEM—CANADIAN NORTHERN ONTARIO RAILWAY.

Rideau Junction—Current, 895 miles.

Comparison of estimate made by the Commission of Inquiry from field inspection with statements by the Canadian Northern Railway Valuation Summary Sheet of December 30, 1916.

—	Commission of Inquiry.	Canadian Northern Railway.		
		Gross.	Deduction.	Adjusted.
	$	$	$	$
Rideau Junction—Pembroke		4,655,010		
Deduct cost of road			134,199	
Deduct discount			262,228	4,208,583
Pembroke—Capreol		12,394,001		
Deduct cost of road			498,937	
Deduct discount			710,295	11,184,769
Capreol—Ruel		2,042,078		
Deduct cost of road			110,562	
Deduct discount			165,939	1,766,177
Ruel—Current		28,102,045		
Deduct cost of road			1,158,720	
Deduct discount			1,738,673	55,204,652
	42,554,678	47,193,734	4,835,553	42,358,181

2. Subsequently to this comparison, the Canadian Northern Railway Company submitted its statement of cost of this line. This statement contained two items which we threw out, namely "discount" and "cost of road." The first was probably discount on bonds, which, as above explained, I do not consider a fair charge in a valuation; and the second item, stock given to contractors, whielf should not be included.

Deducting these two items, our total cost of reproduction was $42,554,678, while that of the company was $42,358,181, a truly remarkable agreement. These results are as shown above.

RESULTS.

1. CANADIAN NORTHERN RAILWAY SYSTEM.

The results of this work for the Canadian Northern Railway System are given in the following tables: Table 1 gives a summary of the various lines in operation and under construction and all other items which have been included in our estimate of the cost of reproducing the property, all being physical elements. Tables 2 and 3 show these results more in detail, with reference to each division or branch of the Canadian Northern Railway System.

TABLE 1.—Estimated cost of reproduction.

Lines in operation.	TOTAL.		C. N. R. PROPORTION BASED ON PER CENT OF STOCK OWNED.		TOTAL.	
	New.	Less Depreciation.	New.	Less Depreciation.	Land.	Interest.
	$	$	$	$	$	$
*Halifax & S. W.	6,614,976	5,298,176	6,614,976	5,298,176	+223,821	549,291
Que. & L. St. J..... ...	11,319,589	9,796,240	10,017,836	8,669,672	1,666,602	364,881
C. N. Sys. Term.	543,986	543,986	543,986	543,986	543,986	....
C. N. Que. Ry.....	16,212,912	14,608,730	9,679,611	8,771,414	2,929,358	1,171,227
C. N. Ont. Ry.	71,118,221	64,713,421	71,118,221	64,713,421	4,068,944	5,573,557
B., W. & N. W. Ry.....	754,105	579,038	754,105	579,038	45,414	28,681
Bay of Quinte Ry	1,199,540	976,518	1,199,540	970,518	42,317	45,052
Cent. Ont. Ry...	3,197,672	2,524.159	3,197,672	2,524,159	143,848	120,688
I., B. & Ottawa Ry.....	839,173	636,990	839,173	636,990	11,037	31,163
Duluth, Win. & P. Ry....	8,092,168	6,880,366	4,127,006	3,668,969	1,860,797	280,294
Niag. St. C. & Tor. Ry...	3,088,825	2,749,740	3,088,825	2,749.740	358,864	114,439
C. N. Ry.	142,822,453	122,264,278	142,822,453	122,264,278	26,384,310	7,999,110
N. P. & Man. Ry.....	13,232,353	11,619,723	13,232,353	11,619,723	5,849,814	469.452
C. N. Sask. Ry..... ...	1,064,400	867,116	1,064,400	867,116	170,405	40,627
C. N. West. Ry	8,333,919	7,644,723	8,333,919	7,644,723	139,771	312,554
C. N. Alberta Ry.	12,685,999	11,979,112	12,685,999	11,979,112	174,919	1,015,375
C. N. Pacific Ry.....	45,976,455	44,681,158	45,976,455	44,681,158	1,195,844	3,800,890
Total lines in operation.	347,096,746	308,357,474	335,296,080	298,122,193	45,809,451	21,947,291
Lines Under Construction						
Que. & L. St. John.....	344,937	344,937	305,269	305,269	41,648	13,701
C. N. Que. Ry.	150,417	150,417	89,799	89,799	3,340	5,702
C. N. Ont. Ry..	17,298,640	17,298,640	17,298,640	17,298,640	9,100,055	835,784
C. N. Ry.....	1,252,946	1,252,946	1,252,946	1,252,946	170,465	44,979
C. N. West. Ry.....	2,891,878	2,891,878	2,891,878	2,891,878	622,716	103,680
C. N. Sask. Ry.	116,653	116,653	116,653	116,653	37,925	5,037
C. N. Pac. Ry..... .	19,229,110	19,229,110	19,229,110	19,229,110	11,402,908	1,882,611
Various Loc. Surveys.....	71,954	71,954	71,954	71,954	.....	....
Total lines under construction.....	41,356,535	41,356,535	41,256,249	41,256,249	21,379,057	2,891,494
Total railroad lines.....	388,453,281	349,714,009	376,552,329	359,378,442	67,188,508	24,838,785
Hotels and lands.....	62,068	53,604	54,930	47.440	....	.....
	1,436,625	1,260,261	1,436,625	1,260,261	329,350	.....
Elevators	2,955,000	2,680,000	2,955,000	2,680,000	265,000	.. ..
Material on hand.....	2,452,618	2,452,618	2,452,618	2.452,618	....	.....
Industrial spurs	1,751 392	1,050,835	1,751,392	1,050,835	....	..... .
Canadian Northern Express Co. and Transfer Co.	330,579	198,347	330,579	198,347	....	....
	8,988.282	7,695,665	8,981,144	7,689,501	534,350	....
Grand total	397,441,563	357,409,674	385.533,473	347,067,943	67,722,858	24,838,785

*Figures given by Railway Company as shown on letter from Mr. Mitchell, 9th March, 1917, copy of which is attached.

CANADIAN NORTHERN RAILWAY SYSTEM.

OTTAWA, Ont., March 9, 1917.

W. H. CHADBOURN, Esq.,
Commissioner of Inquiry into
Transportation and Railways,
Citizen Building, Ottawa, Ont.

DEAR SIR,—With respect to the Halifax and South Western Railway, I attach herewith a statement showing the cost of these lines to the company.

The Halifax and South Western Railway was built under agreement with the Nova Scotia Government, by which they advanced $13,500 per mile of railway, the company giving to the Provincial Government a mortgage over the railway for the amount advanced and for interest on advances during construction. The agreement with the Government provided that the mortgage would be cancelled by payment of $10,300 per mile; in other words, leaving the company a cash subsidy at the rate of $3,200 per mile. In 1912 the company arranged with the Government for a new mortgage, under which the total advances of the Government, plus accrued interest, less $3,200 per mile cash subsidy, were retired by the issue of new 3½ per cent bonds of the company, amounting to $4,447,000.

In addition to the above, the company received from the Dominion Government cash subsidy of $1,364,210.93, and expended this, together with a further amount of $641,231 on the construction of the lines, the total expenditure being as shown on the statement enclosed.

The statements of cost already submitted will furnish you with details of the expenditure.

Yours truly,

A. J. MITCHELL,
Assistant to Vice-President.

Halifax and Mahone	68·10	
Lunenburg to Middleton	71·00	
Middleton to Port Wade	39·40	
Caledonia Branch	22·10	
Bridgewater to Barrington	117·50	
Barrington to Yarmouth	50·10	
Liverpool to Milton	4·98	
Torbrook Branch	4·16	
	377·34	

Total cost of construction of lines		$6,452,441 43
Betterments, etc.		162,534 28
Cost of road, stock	$1,500,000 00	
Less cash subsidy	1,364,210 93	
		$ 135,789 07
Interest (operating, capitalized)		212,915 37
		$6,963,680 15

NOTE.—Under agreement with Nova Scotia Government, interest to amount of $878,141.80 was offset by $823,200, provincial subsidy (257.25 miles at $3,200 per mile), and balance capitalized.

TABLE No. 2.—Lines in Operation—Canadian Northern Railway.

Item.	M. L. Mileage.	Total M. L. Mileage.	Estimated Cost Reproduction.	C.N.R. System Proportion.	C.N.R. Proportion less Depreciation.
			$	$	$
Halifax and Southwestern Ry.—					
100% stock owned by C.N.R. System....	368·20	368·20	6,614,976	6,614,976	5,298,176
Land $223,821					
Interest..... 549,291					
Quebec and Lake St. John Ry.—					
88·5% stock owned by C.N.R. System—					
Quebec—Chicoutimi.....	227·00	.....	9,387,974	.....	
La Tuque Branch.....	39·00	.....	1,415,942	.....	
Chambord—Roberval.....	12·30	.....	374,575	.....	
Valcartier—Clarke	5·40	.....	118,330	.....	
Hotel Junction—Lake St. Joseph....	0·69	.....	22,768	.....	
		284·89	11,319,589	10,017,836	8,669,672
Land.....$1,666,002					
Interest..... 364,881					
*Canadian Northern System Terminals, Limited—					
100% stock owned by C.N.R. System—					
In Quebec and Montreal.....	.....	.....	543,986	543,986	543,986
Land $543,986					
Canadian Northern Quebec Railway—					
59·7% stock owned by C.N.R. System—					
Quebec—Montreal	176·07	.....	10,731,448	.....	
Rinfret—Huberdeau.....	45·28	.....	1,216,517	.....	
Garneau Junction—Riv. à Pierre..	36·84	.....	859,514	.....	
Montmorency Branch.....	7·22	.....	134,516	.....	
Aldred Junction—Shawinigan Falls..	3·80	.....	152,127	.....	
Paradis Junction—Rawdon.....	15·88	.....	452,557	.....	
Joliette—Hawkesbury.....	67·90	.....	2,666,232	.....	
		355·99	16,212,912	9,679,161	8,771,414
Land..... $2,929,358					
Interest..... 1,171,227					
Canadian Northern Ontario Ry.—					
100% stock owned by C.N.R. System—					
Todmorden—Capreol.....	270·40	.....	10,409,965	.....	
Rideau Junction—Capreol	302·00	.....	15,713,729	.....	
Capreol—Current.....	593·00	.....	26,840,949	.....	
Hawkesbury—Hurdman	56·52	.....	1,789,570	.....	
Todmorden—Ottawa.....	251·00	.....	12,703,278	.....	
Branches.....	30·71	.....	1,341,558	.....	
Toronto Terminals.....	4·24	.....	2,319,172	.....	
		1,507·87	71,118,221	71,118,221	64,713,421
Land.....$4,068,944					
Interest..... 5,573,557					
Brockville, Westport and N.W. Ry.—					
100% stock owned by C.N.R. System ..	44·40	44·40	754,105	754,105	579,038
Land $45,414					
Interest..... 28,681					
Bay of Quinté Ry.—					
100% stock owned by C.N.R. System....	54·50	54·50	1,199,540	1,199,540	970,518
Land.....$42,317					
Interest..... 45,052					
Central Ontario Ry.—					
100% stock owned by C.N.R. System—					
Pictou—Trenton.....	30·30	.....	510,596	.....	
Trenton—Wallace	122·30	.....	2,477,041	.....	
Branches.....	14·40	.....	210,035	.....	
		167·00	3,197,672	3,197,672	2,524,159
Land $143,848					
Interest..... 120,688					

* All other properties of this company are shown under lines where located.

TABLE No. 2.—Lines in Operation—Canadian Northern Railway—*Continued.*

Item.	M. L. Mileage.	Total M. L. Mileage.	Estimated Cost Reproduction.	C.N.R. System Proportion.	C.N.R. Proportion less Depreciation.
			$	$	$
Irondale, Bancroft and Ottawa Ry.—					
100% stock owned by C.N.R. System	51·90	51·90	839,173	839,173	636,990
Land $11,037					
Interest 31,163					
Niagara, St. Catharines and Toronto Ry.—					
100% stock owned by C.N.R. System	61·61	61·61	3,088,825	3,088,825	2,749,740
Land $358,864					
Interest 114,439					
Duluth, Winnipeg and Pacific Ry.—					
51% stock owned by C.N.R. System—					
Duluth Junction—Ranier	1·55		131,595		
Ranier—Virginia	97·58		2,997,480		
Virginia—Duluth	71·43		3,763,374		
Terminal properties			1,199,719		
		170·56	8,092,168	4,127,006	3,608,969
Land $1,860,797					
Interest 280,294					
Canadian Northern Ry.—					
100% stock owned by C.N.R. System—					
Port Arthur—St. Boniface	436·50		17,070,103		
Winnipeg Terminals			13,737,973		
Beaver—Edmonton	748·34		20,702,003		
Saskatoon—Munson	302·50		2,692,753		
Munson—Calgary	97·00		4,995,011		
Regina—East Prince Albert	249·59		11,121,981		
Edmonton Yards	5·80		5,784,197		
				80,104,021	71,266,296
Twin City Junction—North Lake	59·15		1,050,027		
Stanley Junction—Kakabeka	3·94		122,791		
Emerson Junction—South Junction	72·69		1,377,760		
Paddington Junction—Victoria Beach	72·88		1,363,535		
Transcona—Dundee	4·02		62,606		
Carman Junction—Somerset	78·67		1,731,383		
Cardinal—N.D. de Lourdes	2·63		39,816		
St. James—Gypsumville	158·01		3,060,276		
Greenway—Deloraine	80·18		1,539,987		
Grosse Isle—Hodgson	80·98		1,264,406		
Steep Rock Junction—Steep Rock	12·36		186,615		
Arizona Junction—C.N. Junction	297·09		6,967,825		
Craven Northeasterly	6·00		73,570		
Carberry Junction-Brandon Junction	22·85		380,394		
Hartney—Virden	37·27		687,091		
Maryfield—Bengough	184·35		4,000,465		
Luzton—Estevan	25·08		389,831		
Moosejaw Junction—Moosejaw	85·67		2,227,374		
Gravelbourg Junction—Gravelbourg	79·25		1,837,445		
Oakland—Amaranth	44·18		653,678		
Neepawa Junction—McCreary Junction	70·41		1,352,384		
Hallboro—Beulah	75·43		1,514,350		
Ochre River—End of Steel	14·90		234,186		
Rossburn Junction—Ross Junction	190·57		3,808,420		
North Junction—Prince Albert	360·59		6,774,463		
Sifton Junction—Winnipegosis	21·06		306,701		
Thunderhill—Preeceville	72·90		1,408,34[illegible]		
Hudson Bay Junction—The Pas	88·06		1,594,492		
Melfort—St. Brieux	21·91		366,223		
Sturgis Junction—Canora	21·44		371,218		
Delisle—Dunblane	59·67		1,167,225		
Elrose Junction—M.P. 76·28	76·28		1,637,332		
Dalmeny—Carlton	36·80		535,376		
Prince Albert—Denholm	116·55		1,877,563		
Shellbrook—Big River	56·97		948,129		

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TABLE 2.—Lines in Operation—Canadian Northern Railway—*Concluded.*

Item.	M. L. Mileage.	Total M. L. Mileage.	Estimated Cost Reproduction.	C. N. R. System Proportion.	C. N. R. Proportion Less Depreciation.
			$	$	$
C.N.R.—*Continued.*					
N. Battleford—Turtleford	56·74		969,859		
Battleford Junction—Battleford	7·91		281,533		
Vegreville—Munson Junction	161·30		3,470,897		
Edmonton Terminal Ry.	9·20		951,293		
Camrose Junction—Terminal Junction	45·80		924,944		
Edmonton—Stony Plains	20·10		445,339		
St. Albert—Athabaska	86·30		1,861,282		
		4,917·87	62,718,432	62,718,432	50,997,982
Land $ 26,384,310					
Interest 7,999,129					
Northern Pacific and Manitoba Ry.—					
999 Year Lease—					
Winnipeg Terminals	3·73		4,569,238		
Winnipeg—Beaver	73·08		2,270,436		
				6,839,669	6,468,223
Portage Junction—Emerson Junction	62·81		1,641,406		
Morris—Brandon	145·70		3,568,825		
Hartney Junction—Hartney	50·45		929,955		
Delta Junction—Delta	15·05		252,498		
Land $ 5,849,814		350·82		6,392,684	5,151,500
Interest 469,452					
Canadian Northern Saskatchewan Ry.—					
100% stock owned by C.N.R. System—					
Wroxton—Willowbrook	41·37		878,124		
Mile 76·28—Eston	8·66		186,276		
Land $ 170,405		50·03		1,064,400	867,116
Interest 40,627					
Canadian Northern Western Ry.—					
100% stock owned by C.N.R. System—					
Brazeau Subdivision	170·23		6,140,237		
Peace River Subdivision	33·00		1,055,598		
Alliance Subdivision	60·00		1,138,084		
Land $ 139,771		263·23		8,433,919	7,644,723
Interest 312,554					
Canadian Northern Alberta Ry.—					
100% stock owned by C.N.R. System—					
Edmonton Junction—Tollerton	135·00		6,055,511		
Tollerton—Yellowhead Pass	123·90		6,630,488		
Land $ 174,919		258·90		12,685,999	11,979,112
Interest 1,645,375					
Canadian Northern Pacific Ry.—					
100% stock owned by C.N.R. System—					
Yellowhead Pass—Lucerne	5·00		394,318		
Lucerne—Blue River	110·70		9,833,956		
Blue River—Kamloops	139·40		8,283,329		
Kamloops—Boston Bar	125·50		16,361,610		
Boston Bar—Port Mann	118·23		11,041,399		
Okanagan Branch	3·12		61,843		
Land $ 1,195,841		501·95		45,976,455	44,681,158
Interest 3,800,890					
Total		9,409·72		335,296,080	298,122,193
Total land $ 45,809,151					
Total interest 21,947,291					

TABLE 3.—Lines under Construction—Canadian Northern Railway System.

Item.		Estimated Cost Reproduction.	C. N. R. System Proportion
Quebec and Lake St. John Railway—		$	$
88·5% stock owned by C.N.R. System—			
Roberval—Dufferin		214,740	
Loretteville—Stoneham		130,197	
		344,937	305,269
Land	$ 41,648		
Interest	13,701		
Canadian Northern Quebec Railway—			
59·7% stock owned by C.N.R. System—			
Arundel—China Clay		150,417	89,799
Land	$ 3,340		
Interest	5,703		
Canadian Northern Ontario Railway—			
100% stock owned by C.N.R. System—			
Montreal—Grenville Junction		13,623,141	
Duncan—Leaside and North Toronto Terminals		2,069,578	
Longue Pointe—Tunnel Junction		66,121	
Toronto, Niagara and Western		1,540,000	
		17,298,640	17,298,640
Land	$ 9,100,055		
Interest	835,784		
Canadian Northern Railway—			
100% stock owned by C.N.R. System—			
Calgary—McLeod		533,102	
McLeod—Pincher Creek		228,488	
Winnipeg Cutoff		75,373	
Dundee North Easterly		51,349	
Carlton North		6,142	
Preeceville West		151,500	
Turtleford North		30,031	
Vonda Northeasterly		136,496	
Craven Northeasterly		24,259	
Gravelbourg Westerly		16,206	
		1,252,946	1,252,946
Land	$ 170,465		
Interest	44,979		
Canadian Northern Western Railway—			
100% stock owned by C.N.R. System—			
Lacombe Spur		83,105	
Strathcona Southerly		300,681	
Oliver—St. Paul des Metis		612,820	
Red Deer Spur		469,097	
Alliance Southerly		8,480	
Peace River Subdivision		865,143	
Medicine Hat—Hanna		520,401	
Bruderheim East		32,151	
		2,891,878	2,891,878
Land	$ 622,716		
Interest	103,680		
Canadian Northern Saskatchewan Railway—			
100% stock owned by C.N.R. System—			
Willowbrook West		15,462	
Easton Westerly		101,191	
		116,653	116,653
Land	$ 37,925		
Interest	5,037		

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TABLE 3.—Lines under Construction—Canadian Northern Railway System—*Con.*

Item.		Estimated Cost Reproduction.	C.N.R. System Proportion.
		$	$
Canadian Northern Pacific Railway—			
100% stock owned by C.N.R. System—			
Special Vancouver Terminals		9,200,000	
Vancouver Island Branch		5,729,766	
Okanagan Branch		693,801	
Lulu Island Branch		2,105,097	
Patricia Bay Branch		1,259,807	
Real Estate not included elsewhere		240,639	
		10,229,110	19,229,110
Land	$ 11,402,908		
Interest	1,882,611		
Various Location Surveys (New Lines)			71,951
Total			41,256,219
Land (Total)	$ 21,379,057		
Interest (Total)	2,891,494		

TABLE 3a.—Canadian Northern Railway.

Item.		Estimated Cost Reproduction.	C.N.R. System Proportion.	C.N.R. Proportion less depreciation.
Hotel properties—		$	$	$
Hotel Lake St. Joseph—				
88·5% stock owned by C.N.R. System		62,068	54,930	47,440
Bala Park and Lake Joseph Hotels—				
100% stock owned by C.N.R. System		35,205	35,205	26,405
Prince Arthur and Prince Edward Hotels—				
100% stock owned by C.N.R. System		1,401,420	1,401,420	1,233,856
Land	$ 329,350			
Terminal Elevators of Port Arthur—				
100% stock owned by C.N.R. System		2,955,000	2,955,000	2,680,000
Land	$ 205,000	4,453,693	4,446,555	3,987,701
Material on hand			2 452,618	2,452,618
Industrial Spurs—				
478 miles at $3,574 per mile		1,708,372		
478 switches and frogs at $90		43,020		
		1,751,392	1,751,392	1,056,835
Canadian Northern Express Co. and Trans. Co.—				
100% stock owned by C.N.R. System			330,579	197,347
Total land	$ 534,350			
Total			8,981,144	7,688,501

Lines, the capital stock of which is not owned entirely by the Canadian Northern Railway Company.—The Canadian Northern System comprises several companies, the control of which has been acquired by the Canadian Northern Railway by the control

of the majority of the stock. The percentage of stock owned is stated in each case in tables 2 and 3. There is some doubt as to how the values should be treated in cases where the entire stock is not owned by the operating company, and I have, therefore, given in each of these cases the cost of reproduction new, and the depreciation of the entire property, and also a percentage of these figures equal to the percentage of stock owned by the Canadian Northern Railway. I desire to call your special attention to this because your purposes may require a different treatment of these cases. The lines in question have bonds outstanding, and they may also have a floating debt, or short term notes outstanding. All these obligations would, of course, stand first against the assets, and any balance of assets above these obligations would represent the stock equity, and if such balances were divided in proportion to stock ownership, would give the value of the equity represented by the Canadian Northern stock ownership. The value of this equity, however, may not be of any importance to your Commission; and on the other hand, it may fairly be argued that the entire value of the property should be divided in proportion to stock ownership in estimating the physical assets of the Canadian Northern. The equity represented by the stock in one of these roads might be worth nothing; yet in such case, if the Canadian Northern Company owned the entire stock, it would own the entire company, and the entire physical value of that company would be represented among its assets. If it owned 99 per cent of the capital stock, and this stock were worthless, because the bonded indebtedness and the floating debt exceeded the value of the property, it would certainly not be fair to include none of the physical property of the line among the assets of the Canadian Northern. On the whole, the fairest view in general would seem to be that assets and liabilities should all be divided in proportion to stock ownership.

Leased Lines.—The Northern Pacific and Manitoba Railway is merely a line which is leased by the Canadian Northern Company, but the lease is for 999 years. The rental paid is understood to be in the neighbourhood of $200,000 per year, being the interest on outstanding bonds. The original line, therefore, when leased, represented no capital investment of the Canadian Northern, but merely a contingent liability for payment of the rent. The question is, whether the physical value of this line would be included in the physical value of the Canadian Northern System.

This physical valuation includes, I understand, considerable property representing sums of money which have been expended by the Canadian Northern on the line since it was leased. A 999 year lease is practically ownership, since the sum of one cent placed at compound interest to-day would in 999 years, much more than equal the present value of the line, or probably its value at that time. Such a lease is therefore practically ownership, and at all events should be treated so, as regards the expenditure of money for improvements. Notwithstanding the fact, therefore, that the rental paid would represent the interest on a smaller sum than the physical value of the line, I have included such physical value in the tables just as though the property were owned by the Canadian Northern. If your Commission desires to omit it, it can be subtracted from the total.

Leases.—I understand that the Canadian Northern Company has made some contracts, either as lessee or lessor, for joint use of certain properties, with other lines, as for joint use of tracks or buildings. In the present valuation, no attempt has been made to place a value upon contracts, although they may have a very decided value. It was assumed that such values, which may be called intangible, were not desired in the valuation of the physical property.

Lines Under Construction.—The tables show considerable sums representing the value of lines partially constructed or surveyed. Some of this property may never be put into operation; at least, some of the surveys may never lead to the construction of the contemplated lines, and may thus represent abandoned property. I believe that it is generally proper in railroad valuations not to include abandoned property; although

I am very well aware that in questions of rates or capital, there are strong arguments in favour of including such property in some instances, and I personally believe that in such instances, it should be included.

Nevertheless in the present valuation, no such property has, to my knowledge, been included in the figures given.

Hotels.—The estimate includes only three hotels. The value of these has been estimated as accurately as the circumstances would permit, together with the land on which they stand. In one case, the hotel stands on railroad right of way which has been elsewhere included.

Material on hand.—The company has furnished an inventory of materials on hand and its value. It was, of course, impossible to check this. Certain items, however, have been excluded because they were considered as improper items in a physical valuation, and as belonging rather to maintenance expenditures. Approved items have been given the values on the inventory.

Working Capital and Cash on hand.—In an estimate of physical valuation on the cost of reproduction basis, it is usual to add to the value of physical elements a certain sum for working capital, for the reason that a company beginning operations with only the physical elements in its possession, and no working capital, would be unable to do business. For this reason, the addition of a certain sum for working capital has been frequently approved by courts and commissions.

Cash on hand, is, of course, a physical asset.

Your attention is called to these two matters for the reason that neither have been included in the present valuation, and it may be desirable for you to inquire as to the cash on hand and to take account of it as well as of a proper allowance for working capital, in whatever use you may wish to make of the results of this valuation.

Steamers.—Nothing has been included in this valuation for steamers, for I am informed that all assets under this item have been converted into cash.

Industrial Spurs.—The Canadian Northern Railway Company, like other companies, has connected with its lines a considerable mileage of industrial spur tracks leading to factories, coal yards and other private property. I understand that such sidings are originally built at the expense of the private party desiring them, and that the expense, in some cases at least, is gradually returned to such owners in the way of rebates on freight received or shipped, so that in the course of time, if the individual is successful in his business, and the spur track is justified as an investment by the railway company, it will ultimateely be owned by said company.

I understand that in other cases the railroad company pays for the rails only on such spur tracks, the individual requesting such tracks paying all other expenses.

Time did not permit of a careful examination into the value to the railway company represented by such tracks. To ascertain this would have required an examination into the status of every individual spur, and would, therefore, have required the services of our whole force for a much longer time than the entire time which we had at our disposal.

In this valuation, the value of such spur tracks has been given as the value of the rail alone, assuming a probable weight in cases where the actual weight was not known.

The following comparison of our results with cost claimed by the company is of interest:—

Company's statement of cost			$494,112,489
" " " additional terminal and other properties			5,922,946
			$500,035,435
Deduct—			
Capital stock	$105,000,000		
Less cash subsidies	28,000,000		
		$77,000,000	
Cost of land, approximate		34,022,946	
Interest		31,533,200	
Discount		20,822,000	
Canadian Northern Steamships		2,300,000	
For industrial spurs, which Commission report allows for metal only but which Company includes as Company track—excess		2,957,289	
			$168,635,435
C.N.R. cost, minus items above			$331,400,000
Commission, estimated cost of reproduction (not cost)			$397,441,563
Deduct—			
N. P. and Manitoba Ry. (leased line) Excess of appraisal over expenditure since lease		$ 4,960,000	
Reproduction cost of land (except N.P. and M. land which has been deducted above		62,549,445	
Materials and supplies		2,452,618	
Interest	$24,839,000		
Minus Int. N.P. and M.	469,500		
		$24,369,500	
			$ 94,331,563
			$303,110,000
Add equipment			56,590,000
Commission of Inquiry			$359,700,000
C. N. R. System			331,400,000
Difference			$ 28,300,000

This last figure is about $28,000,000 above the corresponding figure for the company. The company's statement of cost, however, includes amounts paid for branch lines purchased, which amounts may have little or no relation to the original cost or to the cost of reproducing said lines. Moreover, the company does not own the entire capital stock of some of the lines which it controls.

These facts render any comparisons between our figures and their statement of total cost, of little or no value. There may be a great difference between the cost of a railroad and the cost of reproducing it. However, this comparison, such as it is, indicates, if it indicates anything, that our estimate is a liberal and fair one, and cannot be justly criticised as being too low, on the whole.

DEPRECIATION.

The examination of the various properties made by our forces was not in sufficient detail to enable the depreciation of the various elements to be estimated with any degree of accuracy. It was not at first contemplated that depreciation would be taken account of. However, at the request of the Commission, our field engineers have estimated the depreciation of the various items and the various lines as accurately as possible under the circumstances, on the basis of their observations and notes. Information was not at hand with reference to the age of the various elements of value, so that the depreciation could not be estimated on the basis of the proportion of useful life elapsed. Such a method, however, is not necessarily the correct one. There is much uncertainty

with reference to the average life of the various elements in the property, and age tables should be employed with great caution. All that our engineers could do was to estimate, to the best of their judgment, the average depreciation of the various elements, based upon their general obsrvations. It is, however, only a rough approximation.

In order that there may be no misunderstanding in the minds of those who read this report, it may be well to discuss briefly the bearing which depreciation may have upon the valuation of the property.

When an investment is made in the construction of a railroad, assuming that the funds have been provided and invested properly, the physical property is represented by a definite amount of capital carried on the books under the title "Cost of Road." The actual amount of capital issued may be considerably greater than this, for various reasons, such as discount on securities issued which is to be amortized, stock bonus which may have been properly given away with bonds, etc.

The road, however, immediately begins to depreciate. Certain parts of it indeed have depreciated before the entire line is open. Ties, rails and bridges gradually wear out, and in the course of a few years, even before any renewals may have become necessary, a considerable depreciation may have occurred. This depreciation is an operating liability of the company; in other words, the company must replace worn out items, paying out of earnings for such replacement in kind, or to the extent of the original cost, and capitalizing any excess when a worn out unit is replaced by a new unit of greater size, capacity or cost.

In the case of a railway company which has a great multiplicity of units, and a great number of units under each heading, that is to say, millions of ties, thousands of bridges, hundreds of locomotives and cars, thousands of tons of steel rail, the cost of renewals will generally settle down after a few years to a nearly uniform annual charge. For instance, if the life of a tie is eight years, this means in practice that each year about one-eighth of the total number of ties in the road will have to be renewed. It may be approximately the same with the other elements of value; but whether it is or not the company must make replacements in kind out of earnings, and earnings should be sufficient to allow the company to do this besides earning all other expenses and a fair rate of return on the investment. If large amounts of money are suddenly required for replacing large items, the company may be allowed, with the approval of the proper authorities, to issue short term notes or bonds, to provide the necessary funds for such replacements, with the requirement that such notes or bonds shall be gradually amortized by means of a fund which is added to yearly out of earnings, to such extent that said fund may be large enough to pay the notes or bonds when due. Such a transaction does not alter the principal that renewals in kind must be paid for out of earnings.

The conclusion to be drawn from these considerations, as it seems to me, is that, if a physical valuation is used as a basis of rates, or capitalization, or condemnation, no depreciation should be deducted from such figures as may be finally determined to be the true value *new*, unless depreciation has not been properly provided for by renewals; in other words, unless the company has failed to maintain the property in reasonably good operating conditions, making necessary renewals when required.

If the property has been adequately maintained, it is as valuable for operating purposes as if it were new. A fixed amount of capital went into it, and that capital was entitled to earn a fair rate above a sufficient amount to pay operating expenses, fixed charges, taxes and depreciation. If, subsequent to the original construction, a valuation is made and the true value of the property is determined, there is no logical reason for deducting depreciation, unless excessive dividends have been paid and undue depreciation allowed. The entire original capital, properly invested, as the fair present value, is entitled to earn its fair return just as it was originally.

Suppose, for instance, that a public service corporation for which business is ready and waiting, issues and expends the sum of $1,000,000 for its property and that the

elements of physical value are such that no large renewals will be required at any one time, but that the maintenance of the property required a tolerably uniform annual expenditure; in such case there will be no necessity for the accumulation of a so-called depreciation fund. Necessary renewals are paid for yearly as they occur, yet in the course of a few years time, the depreciation of the physical property may amount to say 25 per cent. Is there any reason in this fact for the claim that the company is over-capitalized or that it should be allowed to earn a fair return on only $750,000, or that if taken by condemnation only the sum $750,000 should be paid for it? It is true that if the public should take over the property it would be taking physical elements whose actual value would be only $750,000, but the public would take over the property subject to the necessity of making repairs and renewals when needed; and as an operating concern, the property would be worth the original investment of $1,000,000 which had been legitimately expended on its construction, or whatever might be its subsequent value new. If the owners were only paid $750,000, and if since its construction the stockholders had received only fair dividends upon their original legitimate investment, and the property had been adequately maintained, it would clearly be unfair to take their property and pay them only $750,000, or to decide that their corporation was over capitalized or to allow them thereafter to earn a fair return upon only $750,000.

The case would be very different if the stockholders had received excessive dividends, or if the property had been inadequately maintained, and necessary renewals neglected in order to pay such excessive dividends. In such cases, it would be proper to deduct from the true value new a portion of the whole of the accrued depreciation.

If the property of the concern is of such a character that renewals require the expenditure of large sums at the expiration of considerable periods of time, as for instance, in replacing the machinery of a power plant, a steamship, or pipes in city streets, proper management would require that in order to provide for such renewals a depreciation fund should be established and should be added to each year out of earnings to such extent that the fund would be adequate to provide for such renewals when they should come necessary. In this case a valuation of the property would show among the physical assets, the amount of money in this depreciation fund, and if this amount were adequate and were being added to each year upon a plan that would provide for renewals when necessary, the fund should be considered as offsetting all accrued depreciation.

A water company or gas or electric company whose property consists of large units which are not renewed to any large extent prior to total replacement, should establish such a depreciation fund. Railroad companies, however, have rarely established such funds in the past, inasmuch as their expenses for renewals, while varying from year to year, settle down approximately to a fairly uniform annual charge.

It has seemed desirable to express in the above discussion, my views with reference to the matter of depreciation, for the reason that I have always held that in railroad valuation the fair present value of the property, new, should be determined, using as a basis either the original cost *new*, or the cost of reproduction *new*, and that from this sum no depreciation should be deducted in valuations made for rate or capitalization, or condemnation purposes, *unless excessive dividends have been paid and the property has been allowed to depreciate unduly in consequence thereof.*

I may add that it is perfectly clear to my mind that in the case of a railroad property which has only paid reasonable dividends, and which has been adequately maintained in good operating condition, if depreciation is deducted from a valuation of the property new, then thereafter, the operating liability of the company for maintenance should only amount to keeping the property *up to the assumed depreciated condition.* In such case, when a new tie is put into the track, inasmuch as the tie removed has no value, the entire cost of the new tie should be capitalized, or if the condition of all the ties has been assumed as 50 per cent of the value new, then every tie renewed

should have half the value of the new tie charged to capital. In other words, the valuation gives each and every item with a depreciated value, depending upon its age and condition; and in renewing that item later, the company should only be obliged to renew it out of earnings up to that identical depreciated value. Such a plan would, in a few years, more or less depending on circumstances, result in allowing an increase of capital precisely equal to the assumed depreciation, since each item when renewed new, would involve an increase of capital equal to its depreciation shown in the valuation and thereafter the operating liability would be for renewal in full. This would bring us back again to the original proposition that no depreciation should be deducted from the value new, although if this result should be reached through the process described, the stockholders, while the adjustment was taking place, would have been penalized by being allowed a fair return, not on their original investment honestly made or the true value new, but on a smaller sum.

One further point should be mentioned. It is often argued that if the value of land, in an estimate of reproduction new, is taken at its present value, then inasmuch as this value has in all probability increased or *appreciated* since the road was built, it is also necessary that elements whose value has decreased or *depreciated,* should have such depreciation deducted. If we allow appreciation of land, it is said, why should we not allow depreciation of rails, ties, bridges, etc.? This proposition, however, involves the fallacy that the word "appreciation" when applied to increased value of land is not the converse of depreciation as applied to rail, ties and bridges. Land has appreciated, if it costs more to buy it to-day than it did originally. If rails, ties or bridges cost less to buy to-day than they did originally, then in an estimate of the cost of reproduction, we would take this lesser cost; we would properly allow this depreciation of those elements just as we allow the appreciation of land. But the depreciation of rails, ties and bridges, due *to wear or the action of the elements* is a totally different thing, and that is the sense in which the word is generally used. In other words, a false antithesis between the words "appreciation" and "depreciation" is the fallacy involved in the argument referred to. This fallacy has been the source of much confusion of thought on this particular subject. The above is a general discussion of the subject of depreciation. In the present valuation, which is simply to ascertain the total present normal value of the property, the depreciation stated is the estimated total depreciation. It is an undoubted fact that some parts of the Canadian Northern System have been allowed to depreciate unduly, and to a considerable extent.

DEFICIENCY OF EARNINGS.

If the original cost of a property, as of to-day, is being estimated as a basis for the valuation, it is evident that every element of such cost must be included; not only the first cost when the property was built, but any subsequent cost for additions or improvements or renewals, cases where elements of the property have been renewed on greater size or capacity or at greater cost than their original cost. This is one of the difficulties in the first cost method, since it is frequently difficult and not seldom impossible to tell from the annual accounts what proportion of annual expenditures should be charged to maintenance, and what proportion to improvements or capital. In addition, it is generally recognized that any deficiency below a fair rate of return in any one year on the original cost up to that year which the stockholders have suffered should be added at the end of that year to the cost of the property. In other words, an investor expects to receive, and is entitled to receive, a fair return from the outset. If there is doubt as to whether the property can earn such a rate, then the investor will demand a correspondingly larger inducement, in the way of larger bond interest, greater discount on bonds, a stock bonus, preferred stock bearing a high interest return, or by some other means.

Of course if what is assumed as a fair rate of return is taken high enough, deficiency in earnings ought not to be included in the value; but assuming that a fair rate of return is based upon present condition and a fairly prosperous concern, it is unquestionably fair to capitalize a deficiency of returns if it has existed at any period during the history of the company. It would be entirely unfair, for instance, in the case of a company, properly financed, and which for many years had never paid a dividend until, during a period of a few years of exceptional prosperity, it managed to pay 5 per cent, to allow it to earn thereafter, only 5 or 6 per cent on its original cost without regard for the many years during which its stockholders received nothing.

Similar considerations apply if the valuation is made on the basis of the cost of reproduction new, except that if the property is reproduced to-day, it must be assumed to find the conditions of to-day awaiting it. If the traffic of to-day is such as to enable the company to earn a fair return on its true value, then no allowances should be made for any deficiency in earnings during the early years, although such deficiency may have actually existed during the early history of the company. To make such allowances would be confusing original cost with cost of reproduction. On the other hand, if conditions to-day do not allow the company to earn a fair return, then an estimate of the cost of reproduction new made to-day should be increased year by year hereafter by the amount of such deficiency, in estimating allowable returns or capital.

This consideration, which is usually neglected in discussions of this subject, affords another justification for estimating real estate at its cost of reproduction at the present time, this being strictly interpreted to mean the amount which the company would be obliged to pay for the property if purchased to-day. It is another instance of the necessity of adhering, in valuation, to one basis or the other, either the original cost, or the cost of reproduction; and another reason for questioning the soundness of the decision of the court in the Minnesota Rate Case.

In the present valuation, therefore, nothing has been allowed for any deficiency in earnings.

Respectfully submitted,

GEORGE F. SWAIN.

II.—GRAND TRUNK PACIFIC.

The method employed in conducting the work with relation to this system was the same as has been already described with reference to the Canadian Northern System, except that for the entire main line of the Grand Trunk Pacific we have used the actual quantities for grading and bridging as approved by the Dominion Government. The Dominion subsidy, however, only covers the main line, and the Dominion Government had not, therefore, approved the estimate of quantities for branch lines. For branch lines, therefore, we used the results of our own inspection, as well as for many items on the main line.

It is convenient to divide the Grand Trunk Pacific into two sections, namely the Prairie Section, including the main line and branches east of Wolf creek, and the Mountain Section west of Wolf creek.

Table I shows in the last column the result of our valuation of the Prairie Division, main line only.

In the first column the cost is given, based on the statement from the company, certified to the Government for the main line.

Table II gives similar information for the Mountain Division.

The first column gives incomplete cost figures as submitted by the railway company, in response to the request of the Commission; the second column gives the result of our valuation.

The third column gives the same as the second, some items being combined in this column.

The fourth column gives the cost based upon figures certified to the Government by the company.

TABLE I.—Grand Trunk Pacific Railway, Prairie Section—Main Line Only.
Comparison of Valuation and Cost.

Description of Account.	From Government G.T.P. Statement.	Valuation.
	$	$
Right of way and real estate	807,331	3,705,874
Grading and tunnels	7,261,350	8,597,102
Steel bridges on concrete abutments, etc	2,139,385	2,016,192
Trestles and culverts of timber	1,839,805	1,584,571
Ties	2,490,405	2,288,391
Rails, frogs and switches and fastenings	6,528,752	6,071,893
Track-laying	836,250	650,715
Ballasting	2,868,887	2,223,645
Buildings, water stations, etc	2,136,828	2,245,481
Shop machinery and tools	204,661	134,655
Fencing, cattle-guards and snow fences	538,379	529,803
Telegraph and telephone lines	436,281	442,958
Equipment and maintenance of sections	2,644,448	248,537
Solidification		446,544
Ploughing fire-guards	50,709	
Interlocking signal apparatus	81,657	101,406
Crossings and signs		68,105
Fuel stations	92,792	152,000
Gas-making machine	87	
Electric light plant	36	
Transportation charges	25	
Construction rolling stock	422,617	
Fuel stock	43,250	
Dining and sleeping car stock	19,104	
Tie stock	85,892	
Lumber stock	695	
Telegraph stock	29,241	
Totals	31,558,867	31,507,872
Contingencies		834,060
Legal and engineering expenses	3,460,300	1,950,528
Interest	8,237,476	3,140,401
Remaining overheads		1,330,433
	43,256,643	38,763,294
Deduct—		
Telegraph operating profit	186,366	
Operating trains profit	5,466,817	
Road stock	116,565	
Station lumber stock	62,242	
Totals	37,424,653	38,763,294

TABLE II —Grand Trunk Pacific Railway, Mountain Division—Comparison Statement.

Description of Account.	G.T.P. Cost from Railway.	Valuation.		G.T.P. Cost from Government.
	$	$	$	$
Right of way	282,000	3,140,490	4,675,779	311,344
Real estate		1,535,289		
Grading	46,953,334	41,516,494	43,948,472	48,035,575
Tunnels	2,509,796	2,431,978		
Steel bridges	7,978,000	6,196,646	6,196,646	7,839,246
Bridges, trestles and culverts	2,518,997	2,346,489	2,346,489	2,161,469
Ties	1,206,059	1,461,668	1,461,668	1,453,762
Rail	4,442,016	4,924,480	5,786,868	5,568,379
Frogs and switches	73,028	75,086		
Track fastenings		787,302		
Ballast	1,500,845	1,505,298	1,505,298	3,129,050
Track laying and surfacing	2,382,611	664,011	664,011	753,750
Fencing	37,119	89,457	89,457	433,172
Crossings and signs	12,005	21,149	21,149	
Telegraph and telephone lines	492,543	394,443	394,443	503,031
Interlocking and signal apparatus				57
Shop machinery	1,110,908	100,500	100,500	100,703
Shops		642,115		
Water stations	380,442	331,090		
Station buildings and fixtures	405,655	470,655	1,884,190	1,811,042
Storage warehouses		32,616		
Miscellaneous structures	110,689	173,206		
Snowsheds	188,481	227,508		
Fuel stations	164,303	210,600	210,600	156,721
Docks and wharves	222,711	130,333	130,333	222,013
Roadway tools		228,465	228,465	1,502,458
Maintenance during construction				
Solidification and adaptation		813,689	813,689	
Ploughing fire-guards				633
Transfer boats and barges				36,132
Work west of Prince Rupert dock				620,771
Construction rolling stock				*2,642,304
Operating trains loss				913,986
Operating boats and barges loss				17,427
Dining and sleeping car stock				748
Tie stock				43,619
Telegraph stock				12,316
General stores				13
Total	72,971,632	70,458,057	70,458,057	78,269,721
Interest		8,767,204	8,767,204	9,882,672
Legal and engineering expenses		3,946,987	3,946,987	5,355,470
Contingencies		1,315,646	1,315,646	
Remaining overheads		3,569,608	3,569,608	
Total (carried forward)	72,971,632	88,057,502	88,0 7,502	93,507,863
Deduct				
Telegraph operating profit				38,522
Wharfage and warehouse operating profit				67,351
Road stock				38,887
Fuel stock				12,697
Lumber stock				43,222
Net cost	72,971,632	88,057,002	88,057,502	93,307,184

* This total includes the sum of $2,642,304 for "construction rolling stock," which probably represents equipment furnished by the Company to be used in construction. Our estimate includes no such item because the prices that we have assumed have been based upon the contractor furnishing his own equipment, so that our total is properly comparable with that of the company in column 4. Much of this "construction rolling stock" is still on hand, and I understand that Sir Collingwood Schreiber has approved but one-half of the original item, which would amount to crediting the company with this rolling stock at a depreciated value of 50 per cent.

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Table III.—Grand Trunk Pacific Railway, Prairie Section.

VALUATION SUMMARY.

	Measurable Quantities.		Including Overheads.	
	Amount.	Rate per Mile.	Amount.	Rate per Mile.
	$	$	$	$
Winnipeg—Melville	8,560,389	30,573	10,614,882	37,910
Melville—Biggar	7,604,070	30,674	9,429,047	38,020
Biggar—Edmonton	8,361,861	32,061	10,368,707	39,681
Edmonton—Wolf Creek	3,949,082	33,523	4,896,862	41,569
Total excluding Edmonton	28,475,402	31,390	35,309,498	38,926
Edmonton Terminals	3,032,470	.....	3,453,796	
Total	31,507,872	34,287	38,763,294	42,184
Unearned increment on land	2,898,543	.....	3,362,698	
Total exclusive of unearned increment on land	28,609,329	31,136	35,400,596	38,527

	Overheads Included.		
	Comm. Statement.	G.T.R Statement.	Difference.
	$	$	$
Grand total, including unearned increment on land	38,763,294	37,424,653	+ 1,338,641
Grand total, excluding unearned increment on land	35,400,596	37,424,653	— 2,024,057

LAND AND INTEREST SUMMARY.

Subdivision.	Construction.	Land	Interest on		Remaining Overheads on	
			Construction.	Land.	Construction.	Land.
	$	$	$	$	$	$
Winnipeg—Melville	7,924,409	635,980	792,441	114,476	1,109,417	38,159
Melville—Biggar	7,205,220	398,850	720,522	71,793	1,008,731	23,931
Biggar—Edmonton	7,961,461	400,400	796,146	72,072	1,114,604	24,024
Edmonton—Wolf Creek	3,833,362	115,720	383,336	20,836	536,671	6,943
Total excluding Edmonton Terminals	26,924,452	1,550,950	2,692,445	279,171	3,769,423	93,057
Edmonton Terminals	877,546	2,154,924	39,490	129,295	144,795	107,746
Total including Edmonton Terminals	27,801,998	3,705,874	2,731,935	408,466	3,914,218	200,803
Unearned increment on land	.....	2,898,543	.....	319,228	.....	144,927
Total less unearned increment on land	27,801,998	807,331	2,731,935	89,238	3,914,218	55,876

TABLE III.—Grand Trunk Pacific Railway, Prairie Section—*Concluded.*

	Unearned Increment of Land			
	Excluded.		Included.	
	$	$	$	$
Total construction	27,801,998		27,801,998	
Total land	807,331		3,705,874	
Construction plus land		28,609,329		31,507,872
Interest on construction	2,731,935		2,731,935	
Interest on land	89,238		408,466	
Interest on construction and land		2,821,173		3,140,401
Remaining overheads on construction	3,914,218		3,914,218	
Remaining overheads on land	55,876		200,803	
Remaining overheads on construction, plus land		3,970,094		4,115,021
Grand Totals		35,400,596		38,763,294

TABLE IV.—Grand Trunk Pacific Railway, Mountain Section.

VALUATION SUMMARY.

Subdivision.	Measurable Quantities.		Including Overheads.	
	Amount.	Rate per Mile.	Amount.	Rate per Mile.
	$	$	$	$
Wolf Creek—Jasper	6,592,409	58,966	8,309,070	74,321
Jasper—McBride	8,719,668	80,217	10,987,825	101,084
McBride—Prince George	14,611,219	100,146	18,414,206	126,211
Prince George—Endako	8,077,981	70,182	10,181,097	88,455
Endako—Smithers	3,785,111	46,281	7,293,123	58,345
Smithers—Pacific	10,012,541	93,575	12,618,744	117,932
Pacific—Prince Rupert	11,257,891	95,406	14,203,444	120,368
Total excluding Prince Rupert Terminals	65,056,820	78,243	82,007,509	98,626
Prince Rupert terminals	5,401,237		6,049,993	
Total including Prince Rupert Terminals	70,458,057	84,634	88,057,502	105,775
Unearned increment on land	4,364,435		4,767,086	
Total exclusive of unearned increment on land	66,093,622	79,392	83,290,416	100,048

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TABLE IV.—Grand Trunk Pacific Railway, Mountain Section—*Continued.*

—	Overheads Included.
	$
Prince Rupert Terminals, exclusive of land	2,045,495
Prince Rupert Terminals, land	4,004,498
	6,049,993

—	Comm. Estimate.	G.T.P. Estimate.	Difference.
	$	$	$
Grand total, including Prince Rupert Terminals, with their land.	88,057,502	93,307,184	— 5,249,682
Grand total, including Prince Rupert Terminals without their land ($88,057,502—$4,004,498)	84,053,004	93,307,184	— 9,254,180
Grand total, excluding unearned increment on land	83,290,416	93,307,184	—10,016,768

LAND AND INTEREST SUMMARY.

Subdivision.	Construction.	Land.	Interest on		Remaining Overheads on	
			Construction.	Land.	Construction.	Land.
	$	$	$	$	$	$
Wolf Creek—Jasper	6,526,554	65,835	848,452	15,805	848,452	3,952
Jasper—McBride	8,693,568	26,100	1,130,164	6,264	1,130,163	1,566
McBride—Prince George	14,509,441	101,778	1,886,227	24,427	1,886,227	6,106
Prince George—Endako	8,066,961	71,020	1,040,905	17,045	1,040,905	4,261
Endako—Smithers	5,688,056	97,655	739,448	23,293	739,448	5,823
Smithers—Pacific	9,938,971	73,570	1,292,066	17,657	1,292,066	4,414
Pacific—Prince Rupert	10,795,318	462,573	1,403,391	111,017	1,403,391	27,754
Totals excluding Prince Rupert Terminals.	64,158,869	897,951	8,340,653	215,508	8,340,652	53,876
Prince Rupert Terminals	1,623,409	3,777,828	211,043	.....	211,043	226,670
Totals including Prince Rupert Terminals.	65,782,278	4,675,779	8,551,696	215,508	8,551,695	280,546
Unearned increment on land	.....	4,364,435	.....	140,785	.....	261,866
Totals, less unearned increment on land	65,782,278	311,344	8,551,696	74,723	8,551,695	18,680

TABLE IV.—Grand Trunk Pacific Railway, Mountain Section—*Concluded.*

	Unearned Increment.			
	Excluded.		Included.	
	$	$	$	$
Total construction	65,782,278		65,782,278	
Land	311,344		4,675,779	
Construction plus land		66,093,622		70,458,057
Interest on construction	8,551,696		8,551,696	
Interest on land	74,723		215,508	
Interest on construction and land		8,626,419		8,767,204
Remaining overheads on construction	8,551,695		8,551,695	
Remaining overheads on land	18,680		280,546	
Remaining overheads on construction and land		8,570,375		8,832,241
Grand totals		83,290,416		88,057,502

TABLE V.—Grand Trunk Pacific Railway, Prairie Section.

ESTIMATE COMPARISONS.

	G.T.P. Estimate.			Comm. of Inquiry Estimate.	
	Including Land.		Without Land.	Including Land.	Without Land.
	$	$	$	$	$
Construction cost		31,558,867	30,751,536	31,507,872	27,801,998
Overheads, less interest		3,460,300	3,460,300	4,115,021	3,914,218
Total, excluding interest		35,019,167	34,211,836	35,622,893	31,716,216
Interest		8,237,476	* 8,092,362	3,140,401	2,731,935
Total, including interest and overheads		43,256,643	42,304,198	38,763,294	34,448,151
Deduct—					
Telegraph operating profit	186,366				
Train operating profit	5,466,817				
Road stock	116,565				
Station lumber stock	62,242				
Total deductions		5,831,990	5,831,990		
Total		37,424,653	36,472,208	38,763,294	34,448,151

*NOTE.—Interest amounts in "Without Land" column "G.T.P. Statement" are not exact, but proportioned.

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TABLE VI.—Grand Trunk Pacific Railway, Mountain Section.

ESTIMATE COMPARISONS.

—	G.T.P. Estimate.			Comm. of Inquiry. Estimate.	
	Including Land.		Without Land.	Including Land.	Without Land.
	$	$	$	$	$
Construction cost		78,269,721	77,958,377	70,458,057	65,782,278
Interest		9,882,672	*9,807,950	8,767,204	8,551,696
Remaining overheads		5,355,470	*5,336,789	8,832,241	8,551,695
Total		93,507,863	93,103,116	88,057,502	82,885,669
Deduct–					
Telegraph operating profit	38,522				
Wharfage and warehouse profit	67,351				
Road stock	38,887				
Fuel stock	12,697				
Lumber stock	43,222				
Total deductions		200 679	200,679		
Net cost		93,307,184	92,902,437	88,057,502	82,885,669

*NOTE.—In the G.T.P. "Without Land" column, the reduced interest and overhead is not exact, but arrived at by deducting, from the known total interest and remaining overheads, 24 per cent and 6 per cent, respectively, on the land deducted.

TABLE VII.—Grand Trunk Pacific Railway.

CONSOLIDATED STATEMENT.

Line.	Mileage.	Construction Items.	Land Cost.	Interest.	Other Overheads.	Reproduction. Cost.
Main Lines.—Prairie Section.	$	$	$	$	$	$
Winnipeg—Melville	280·00	7,924,409	635,980	906,917	1,147,576	10,614,882
Melville—Biggar	248·00	7,205,220	398,850	792,315	1,032,662	9,429,047
Biggar—Edmonton	261·30	7,961,461	400,400	868,218	1,138,628	10,368,707
Edmonton Terminals	11·76	877,546	2,154,924	168,785	252,541	3,453,796
Edmonton—Wolf Creek	117·80	3,833,362	115,720	404,166	543,614	4,896,862
Total Prairie main line	918·86	27,801,998	3,705,874	3,140,401	4,115,021	38,763,294
Main Lines—Mountain Section.						
Wolf Creek—Jasper	111·80	6,526,554	65,855	864,257	852,404	8,309,070
Jasper—McBride	108·70	8,693,568	26,100	1,136,428	1,131,729	10,987,825
McBride—Prince George	145·90	14,509,441	101,778	1,910,654	1,892,333	18,414,206
Prince George—Endako	115·10	8,006,961	71,020	1,057,950	1,045,166	10,181,097
Endako—Smithers	125·00	5,688,056	97,055	762,741	745,271	7,293,123
Smithers—Pacific	107·00	9,938,971	73,570	1,309,723	1,296,480	12,618,744
Pacific—Prince Rupert	118·00	10,795,318	462,573	1,514,408	1,431,145	14,203,444
Prince Rupert Terminals	1·00	1,623,409	3,777,828	211,043	437,713	6,049,993
Total Mountain main line	832 50	65,782,278	4,675,779	8,767,204	8,832,241	88,057,502

TABLE VIII.—Grand Trunk Pacific Railway.

CONSOLIDATED STATEMENT.

Line.	Mileage.	Construction Items.	Land Cost.	Interest.	Other Overheads.	Reproduction. Cost.
Branch Lines Co.		$	$	$	$	$
Harte—Brandon	21·9	194,277	96,511	14,533	32,024	337,345
Melville—Canora	54·6	904,079	59,921	44,279	129,566	1,137,845
Melville—Regina	212·0	4,185,850	1,246,034	263,260	648,740	6,346,884
Regina—Northgate	155·1	2,324,236	145,095	113,297	332,647	2,915,275
Young—Prince Albert	111·3	1,780,628	196,145	91,897	259,094	2,327,764
Biggar—Loverna	103·6	1,603,529	85,000	77,259	228,744	1,994,532
Oban—Battleford—Carruthers	97·8	1,825,632	87,391	87,397	259,958	2,260,378
Tofield—Calgary	201·2	4,696,589	1,052,396	274,490	710,142	6,733,617
Alberta Coal Branch	56·7	2,331,958	12,757	105,703	327,112	2,777,530
Total Branch Lines Co.	1,014·2	19,849,778	2,981,250	1,072,115	2,928,027	26,831,170
Saskatchewan Railway.						
Weyburn branch	14·9	177,957	31,075	9,873	26,468	245,373
Summary.						
Main Line, Prairie	918·86	27,801,998	3,705,874	3,140,401	4,115,021	38,763,294
Main Line, Mountain	832·50	65,782,278	4,675,779	8,767,204	8,832,241	88,057,502
Branch Lines Co.	1,014·20	19,849,778	2,981,250	1,072,115	2,928,027	26,831,170
Saskatchewan Railway	14·90	177,957	31,075	9,873	26,467	245,373
	2,780·46	113,612,011	11,393,978	12,989,595	15,901,756	153,897,339

GRAND TRUNK PACIFIC RAILWAY.

In British Columbia.

OVERHEAD CHARGES.

	Total without overheads=1. Total.
A. *On all items except land*—	
(*a*) Contingencies, 2 p.c.	1·02
(*b*) Engineering, 5 p.c. on 1·02	1·071
(*c*) Legal, etc., ¾ p.c. on 1·02	1·0787
(*d*) Administration, ¾ p.c. on 1·0275	1·0864
(*e*) Taxes, ½ p.c.	1·0914
(*f*) Interest, 4-year period equals average 2 years, 12 p.c. on 1·0914	1·2224
(*g*) Commissions, 3 p.c. on 1·2224	1·2591
Say, 26 p.c.	
B. *On land*—	
(*a*) Administration, ¾ p.c.	1·0075
(*b*) Taxes, 1 p.c.	1·0175
(*c*) Interest, 4-year period, 24 p.c. on 1·0175	1·2617
(*d*) Commissions, 3 p.c. on 1·2617	1·2996
Say, 30 p.c.	

SESSIONAL PAPER No. 20g

GRAND TRUNK PACIFIC RAILWAY.

Prairie Section, Main Line.

OVERHEAD CHARGES.

	Total without overheads=1. Total.
A. *On all items except lands—*	
(*a*) Contingencies, 3 p.c.	1·03
(*b*) Engineering, 5 p.c. on 1·03	1·0815
(*c*) Legal, etc., 1 p.c. on 1·03	1·0918
(*d*) Administration, 1 p.c. on 1·04	1·1022
(*e*) Taxes, say ½ p.c.	1·1072
(*f*) Interest, 3-year period, average 1½ year at 6 p.c. equals 9 p.c. on 1·1072	1·2069
(*g*) Commission, 3 p.c. on all previous 1·2069 Say, 24 p.c.	1·2431
B. *On land—*	
(*a*) Administration, etc., 1 p.c.	1·01
(*b*) Taxes, 3 years at ½ p.c. equals 1½ p.c.	1·025
(*c*) Interest, 3 years at 6 p.c. equals 18 p.c. on 1·025	1·2095
(*d*) Commissions, 3 p.c. on 1·2095 Say, 24 p.c.	1·2458

A large part of the difference between the results of our valuation and the cost figures, either those received direct from the company or those certified to the Government, arise from the higher valuation which we have assigned to real estate or right of way, and especially to the terminals at Prince Rupert.

These terminals originally cost little or nothing; at the present time, however, on the basis of the assessed valuation, which is the basis of our figures, the real value is large.

This is a case in which, if the railway were removed, those lands would apparently return to their original value; that is to say, they owe their present value practically entirely to the presence of the railway.

It might perhaps fairly be said, therefore, that in estimating the cost to reproduce the property, inasmuch as if the railway were removed these terminals would be of little or no value, they should be given a small value in the estimate; however, we assigned to them a value based upon the assessed value of adjoining property per square foot or per acre.

In order, therefore, to compare properly our valuation with the estimate of cost, the unearned increment of these and other lands should be deducted. This has been done in table III and in table IV.

Table III gives a summary by subdivisions of the Prairie section of the estimated cost of construction and of land, with interest on construction items and on land, and remaining overheads allowed on construction and on land.

For the estimate in the last line of the table proper, the so-called unearned increment on land, together with interest and other overheads pertaining to land, have been excluded.

The unearned increment on land is the difference between our estimate, namely, $3,705,874, and the cost of right of way and real estate, namely, $807,331.

The other entries in this line are the interest on this unearned increment, and the other overheads, using the same percentages that have been used throughout our estimate for this system.

At the bottom of table III is given a summary which shows that our total estimate, excluding unearned increment, that is to say, putting in the right of way and other real estate at cost, is $35,400,596, which compares with a total of $37,424,653, based on the Grand Trunk Pacific statement submitted to the Government. In other words, our estimate of the cost to reproduce the Prairie section main line of the Grand Trunk Pacific using, however, the cost figures for real estate, is about $2,000,000 less than the actual cost.

In a similar manner table IV summarizes the figures for the Mountain section of the Grand Trunk Pacific, as shown in table II, which shows that our total estimate, excluding unearned increment as in table III, is $83,290,416, which compares with a total of $93,307,184, based on the Grand Trunk Pacific statement submitted to the Government.

In order to compare these figures, however, it is further proposed to eliminate the interest charges, which are quite different in the cost estimate and in our own valuation. The comparison is made in tables V and VI. The former in the Prairie section, the latter in the Mountain section.

Taking up table V, line 1 shows the construction cost from table I, first including the land, and second, omitting the land. Our estimate including the land but not the interest is $35,622,893. Our allowance for interest is $3,140,401. Our total, including interest and all overheads, is $38,763,294, agreeing with table I.

The Government figures, however, have offset against interest paid, receipts from operation of trains, from telegraph and certain items of stock as shown, while our estimate has taken account of none of these items.

Leaving out the land, it will be seen that our total figure for the Prairie section is about $2,000,000 less than the Grand Trunk Pacific figure after the deduction above referred to has been made, while including land (and its unearned increment) we are $1,300,000 above the company's figure.

Table VI makes similar comparison for the Mountain section, which shows our total, excluding land but including interest and other overheads, is about $10,200,000 less than the estimate of the company, while after making the company's deductions for receipts and stock our estimate is about $10,000,000 less than the company's.

If our figures are correct, therefore, the Grand Trunk Pacific system should have been built for nearly $12,000,000 less than it actually cost.

Just why there should have been this excess of cost is not for me to explain, although it would appear that some of the prices paid were higher than should have been paid.

It will be observed that our estimate of the cost of reproduction of the Prairie section of the Grand Trunk Pacific, excluding the unearned increment on land, is about $38,500 per mile, including all overheads. This is considerably larger than our estimate for the Canadian Northern Prairie lines.

The reason for the difference lies partly in the character of the country through which the Grand Trunk Pacific passes, which is less favourable for construction than that through which the other line passes, and partly also in the fact that the gradients on the Grand Trunk Pacific are lower than those of the Canadian Northern Railway. If the Grand Trunk Pacific had been built with a more undulating gradient, the quantity and cost of grading would have been considerably reduced, and also the cost of bridges, and especially of timber trestles, of which this line has a large number of costly ones.

On the whole also, the Prairie section of the Grand Trunk Pacific is more substantially constructed in many ways than the Canadian Northern; it has in general more ballast, better ties, and wider shoulders to the banks than the Canadian Northern, and I should expect for this reason alone a considerable difference in cost. I may say, however, that it seems to me, after riding through the territory covered by these lines, that the Grand Trunk Pacific was a more expensive line than was justified by the traffic, and that a more undulating gradient with a smaller first cost, would have produced economically just as good results.

On the Mountain section considered as a whole, however, the Canadian Northern line is not inferior to the Grand Trunk Pacific, but in some respects superior; its roadbed is good, its grades are easy, and it is in every way well constructed.

Between Edmonton and Resplendent the two lines are closely parallel, and here the Grand Trunk Pacific is on the whole the more substantially constructed line, and the more economical to operate. Its grades are lighter, it has less rise and fall, and less curvature, avoiding one summit which occurs on the Canadian Northern east of Jasper. On the whole, the Grand Trunk Pacific is, between these two points, the better line, although it has longer and higher trestles, and experiences considerable trouble each year where it passes along Brulé lake, near Jasper, on account of the drifting of sand from the river-bed, which completely covers the tracks and requires considerable expense for removal. The Canadian Northern line is, at this point, on the opposite side of the river, and the prevailing winds are in its favour, blowing the sand away rather than upon its tracks.

West of Resplendent the two lines diverge, the Canadian Northern following the North Thompson river southward, and the Grand Trunk Pacific following the Fraser river in a northwesterly direction. The two lines thus pass through essentially different country, and cannot fairly be directly compared. The character of the country traversed by the Canadian Northern is the more favourable, and the portion of the Canadian Northern from Resplendent to the coast is the best part of that line. The grades are easy and the road-bed and structures substantial. The Grand Trunk Pacific west of Resplendent passes through some very soft ground, as far west as Hazelton. This material has been a serious source of expense to the Grand Trunk Pacific, and will continue to be for some years to come. Not only was it necessary to change the original location in many instances, but in many cases almost an entire hillside was put in motion by the construction of the road, filling up ditches and cuts and moving embankments, requiring heavy expense for excavation, subsequent to the opening of the line. The movement has not stopped, and there will continue to be heavy expense for some time to come. Here again the general limits adopted for grades and curves probably greatly increased the expense. Had an undulating grade been adopted, with more curvature, the line would have cost much less.

The Grand Trunk Pacific line is located generally on the south side of the rivers which it follows between Yellowhead pass and Hazelton. South of the line there is a range of hills and as the line is on the south side of the rivers it is not exposed to the sun as much as the land on the north side and, consequently, cuts do not dry out as quickly as they would if the line had been located on the north side.

At first glance it would seem that an error in location had been made and that the railway should have been located on the north side, but snap judgments are dangerous, and I would not wish to make the above statement unconditionally without further information as to the actual character of the ground on the north side of the river.

Tables VII and VIII give our final consolidated figures for the Grand Trunk Pacific and the Grand Trunk Pacific Branch Lines Company (the distinct corporation owning the branches of the Grand Trunk Pacific system). No account has been taken of subsidiary corporations of the Grand Trunk Pacific Company, such as the Grand Trunk Pacific Development Company and the Grand Trunk Pacific Steamship Company. Our attention has been confined entirely to the railroad lines scheduled in tables VII and VIII.

III.

In addition to making the estimate for the Canadian Northern and the Grand Trunk Pacific, we were asked to make comparisons between certain portions of these lines and portions of the Canadian Pacific system running through similar territory.

(*a*) A COMPARISON BETWEEN THE CANADIAN NORTHERN LINE AND THE CANADIAN PACIFIC LINE BETWEEN KAMLOOPS AND VANCOUVER.

These two lines parallel each other between these two points, sometimes on opposite sides of the river and sometimes on the same side.

A comparative study of these two lines between the points mentioned were made by Mr. C. S. Gzowski; he submits the following typical unit showing his estimate of the cost of the Canadian Northern line to be $88,230 per mile, and of the Canadian Pacific Railway line $95,252, a difference of about $7,000 per mile.

The Canadian Pacific has somewhat heavier grading, heavier rail, more ballast, and a larger length of second or auxiliary track; while the Canadian Northern line has greater expense for bridges and tunnels. Mr. Gzowski's interesting report with reference to this comparison is appended hereto.

(*b*) A COMPARISON BETWEEN CERTAIN PRAIRIE LINES OF THE CANADIAN NORTHERN, GRAND TRUNK PACIFIC, AND CANADIAN PACIFIC.

This comparison is shown in the following table.[1] It will be observed that of these lines the Grand Trunk Pacific is the most costly per mile, with the Canadian Pacific next and the Canadian Northern lowest.

It will be observed that the Grand Trunk Pacific has the lowest grades, and this fact probably explains the higher cost. These comparisons have been made by Mr. G. R. Balloch, who was in charge of field examination of the Prairie lines of the Canadian Northern System.

(*c*) A COMPARISON BETWEEN THE CANADIAN PACIFIC, CANADIAN NORTHERN AND GRAND TRUNK PACIFIC, BETWEEN WINNIPEG AND BRANDON.

The following table[1] gives a comparison of these lines by Mr. G. R. Balloch, from which it will appear that the Canadian Pacific is the most expensive, the Grand Trunk Pacific next, and the Canadian Northern the lowest.

(*d*) The following table[1] gives some further comparisons of similarly situated lines.

GEORGE F. SWAIN.

OTTAWA, March 15, 1917.

Prof. GEO. F. SWAIN,
Boston, Mass.

DEAR SIR,—The following brief report of my work in connection with your valuation of some of the railroads in the Dominion of Canada, is handed you herewith.

After some preliminary negotiations with you, I came to Ottawa September 6, 1916, and proceeded at once, with your approval, to engage a force of men and to make such plans and arrangements as were necessary to have the various lines inspected before snow came to seriously interfere with the work. Much difficulty and delay was experienced in organizing the force on account of so many capable men having gone to the war or being engaged in other work. The short period of employment offered would not induce men to leave other jobs, so that it required much correspondence and time to secure the force. Most of the men had not had previous experience in work of this character, so that considerable time and detailed instruction were required in order to have them all do the work uniformly and expeditiously. It soon became apparent

1 These tables are shown on pages 72, 73, and 74.

that details of the property of the railway would not be available for the field engineers during their inspection, if the same was made prior to the coming of snow. Therefore, it was necessary to send the field engineers over the lines with incomplete data. Profiles had been received from the company for a considerable part of the line; bridge, building, and track lists for an inconsiderable part; together with a few yard and bridge plans. The yard plans furnished at that time did not show the limits of the right of way, and many of those furnished were incorrect in respect to the data which they did contain. The profiles did not contain all of the data usually found on a complete construction profile, so that they were not of as much assistance to the engineers as expected.

As soon as profiles were received, the assistant engineers were set to work making profile estimates of quantities, using scales for the purpose. They also estimated from profiles quantities for wooden trestles, box culverts, pipe drains and similar items. These estimates were tabulated, and were ready for the inspecting engineers when they returned to the office. The assistant engineers engaged in the above work, assisted the field engineers in the preparation of their estimates.

On the 16th of October, the field engineers were sent into the field with such information as was then at hand. The territory was divided between six divisional engineers, some of them having assistants, in such manner that it was believed they could make the inspection before the snow came. A much larger mileage of the prairie lines was given to the engineers in charge of the same than in the case of the more varied and costly lines in the mountain region and in the east. A general inspection trip reaching as far west as Vancouver was made by the consulting engineer and chief engineer, Mr. W. B. Kellett, special engineer, and Mr. D. O. Johnson, contractor. Some of the field engineers accompanied this party over part of their territory, and some of the detailed inspection was made by this special party, thus breaking in the divisional engineers into the method of doing their work. Furthermore, this specal party made careful inquiry and determined tentative prices for various classes of work and various kinds of material. These prices were the result of much consideration and were considered as tentative only, to be modified slightly by the divisional engineers in the light of such further information as they secured.

The field engineers covered practically all the lines of the railway, making as many detailed notes as possible, relative to all elements of the construction. From these notes, aided by the profiles and other data submitted by the railway company, the final estimates of the various lines were prepared. Details are given below regarding the various items entering into the railway construction, classified in accordance with the railway accountant's classification.

Right of Way.—General notes regarding right of way were made, showing the average width of right of way, and the extra amount at stations or other places, and also approximate estimates of the value of adjoining land. These values were later modified as necessary, from further information gathered whenever and wherever opportunity offered.

At all of the larger towns and cities, special investigations were made concerning land values, subsequent to the general road inspection, as at Montreal, Toronto, Ottawa, Winnipeg, Edmonton, and Calgary, where a most careful inquiry was made by a special engineer, taking into account values of adjoining property, assessed values, etc. Local residents and real estate dealers were consulted regarding the values, and from all this information, proper figures to apply to the property of the railway company were arrived at. At other important points not mentioned above, the divisional engineer pursued the same method, as far as time permitted.

The amount of right of way was in general determined as that acreage which the usual width of right of way would give per mile, plus an allowance made for the average extra amount at stations and terminals proportioned for the whole mileage of each line in question. After the determinations had been made, the incomplete right of way

plans were received from the railway company, which were examined and totaled and the result compared with the previous determinations, and it was found that there were inconsequential differences, and no changes were made in our previous determinations except in a few instances.

No attempt whatever has been made, or could be made in the allotted time, to determine whether property claimed by the railway company is actually possessed by it. A few instances have come to our notice where property claimed has not been duly transferred to the railway company, but it is presumed that such instances are few. The general principle adopted concerning ordinary right of way was that the cost to the railway company of reproduction, would be approximately twice the amount per acre of the real value for farming and industrial purposes of the adjoining land, such increment including cost of acquisition, as well as the special engineering expenses, and also any damages, payments for severance or other reasons. No account whatever was taken of cases where land had been given to the railway company by the Government or individuals. Where land values are high in the larger towns and cities, where it is generally purchased by the lot a value per lot or per foot front, or per square foot was determined from various methods previously described and an increment of 25 per cent generally applied and in most cases, further allowances made for taxes as well as an interest carrying charge. No additional overheads were added to the appraised value of land as determined in this manner.

Grading.—Quantities were obtained in all cases where possible from an estimate made from the profile as modified by the field engineers. In very rough territory, such as Fraser Canyon and mountain work, where the quantities for each cut and fill were shown on the profile, the field engineer travelled such territory slowly and determined in each case, by approximate methods, if the quantities were reasonable, and if so, they were accepted by him. Every effort was made, however, to arrive at an approximate classification, and determine, as nearly as possible, whether the work was of a side-borrow nature or a cut and full nature involving long hauls or where train fill had been necessary. The location of ballast pits was noted where possible, and also the slope of the ground surface at cuts, in order to be able to make profile estimate quantities from a single line profile. Notes were made of the length of line requiring clearing and grubbing.

Tunnels.—Special study was given to each tunnel to determine whether any unusual features existed. Detailed information was always available or secured, relating to the comparatively few tunnels on the line.

Bridges, trestles, and culverts.—The inspecting engineers made notes relative to all bridges and trestles, this data being later supplemented by detailed lists supplied by the railway company. Exact lengths were taken from the profiles. No effort was made by the field engineers to make notes relating to small openings, such as pipes and wood boxes. These were all estimated from the profiles.

An approximate method of determining the quantity of material in wooden bridges was necessary, because no information was supplied relating to the length of piles, in the case of pile bridges, and because time did not permit detailed estimates to be made of each bridge, even if sufficient information had been at hand to permit such detailed estimate. A formula was devised for determining quantities in wooden bridges based on information contained in standard plans and on detailed information of total quantities covering many bridges as submitted by the railroad company. In most cases, the quantities were given for steel bridges, but these quantities were roughly checked by comparison with diagrams prepared for such estimation. The masonry in bridges was determined from plans submitted by the company, but these were in general, entirely inadequate for the purpose, so that a general theoretical quantity for a pier or an abutment of the approximate height as determined from the profile was made. Every

effort was made to be fair in this determination, and if our estimate is deficient in these matters, it is largely because the railroad company failed to submit suitable data for such estimates in time for use. The foundation work covering cofferdams, pumping, wet excavation, etc., has been estimated at a certain percentage of the cost of the masonry. The percentage to be used for this determination was arrived at from a careful study of numerous bridges where the actual cost of the foundation work was available on this and on other railroads and in other cases of similar work. The short time available necessitated approximate methods such as this, and if in special cases the result is deficient, it must be said again, that it is primarily because the railway company did not submit suitable plans and data in time to be available for use.

Track.—The estimation of the quantities of the various items entering into track is based on the notes of the engineers, showing number of tiers per rail length, weight of rail, the character of the fastenings and average amount of ballast per mile. The length of auxiliary tracks was determined from statements submitted by the railway company, and approximately checked by the inspecting engineer. The ratio of the total length of auxiliary tracks on a certain line to the main line mileage is determined, and that per cent of ties, rail and fastenings is added to the correct amount for one mile of main line track, making allowances for any different weight of rail in auxiliary tracks. The number of frogs and switches has been determined from the number of passing tracks and auxiliary tracks and other auxiliary tracks as noted by the engineer and from yard plans where the same had been checked by the engineer, or if his notes approximately correspond to the plan. The yard plans were only available to the inspecting engineers in a few instances. They were entirely lacking in the central territory, and it has been found that the number of turn-outs as estimated is uniformly less than the number now reported by the railroad company. This is due to the fact that the company did not supply us with plans or data early enough.

The roadway tools are estimated on the basis of one outfit for about eight miles of track in general. Some slight variance was made from this basis where more definite information was available, but in general, no data were available and the item was too small to deserve any particular attention under the circumstances.

Fencing.—The inspecting engineer noted the amount of each line fenced, and the character of the fence. Approximate estimates were also made of the amount of snow fence available, which at the time of inspection, was piled along the right of way in spots, but not set up. In general, our estimates made in this way agree fairly close with the statements submitted later by the railway company. The number of cattle-guards was determined from the number of highway crossings, as noted by the engineer.

Crossings and Signs.—The number of crossings, both highway and farm, was noted by the inspecting engineer, and the amount of plank in the crossing determined from standards for each crossing, it having been determined that the standard was approximately correct. The number of signs of various kinds has been determined somewhat arbitrarily based on the number of crossings, miles, bridges, etc., it having been observed that the proper number of these signs for these various purposes in general existed. Where they did not exist, the field engineer made notes concerning the same and they were omitted.

Interlocking.—Each interlocking plant was carefully noted by the inspecting engineer, together with its general character. It was found that they were practically all of the same general style and character. The plants were all treated on the same basis, making modifications solely on account of the angle of the crossing and type of the crossing frogs. The results were later checked with information supplied by the company.

Telegraph and Telephone Lines.—The inspecting engineer made suitable notes concerning the telegraph line, showing the number of poles per mile, number of wires,

whether of iron or copper, and other special features. An arbitrary addition of 10 per cent was made for instruments, etc., this being based on previous experience and more detailed estimates, covering not only the instruments and batteries but the master batteries at terminals, the switchboard apparatus and all other special apparatus, also the special cables at certain stations, extra wire and wiring at stations.

Station Buildings and Fixtures.—The field engineers made the necessary notes relative to all station buildings, noting them by classes and making note of any special features which were observed by them. They also noted all other roadway structures, such as tool-houses, dwelling-houses, etc. The railway company submitted carefully prepared statements showing all structures existing along all lines, which statements enabled us in some cases to correct apparent omissions in the notes or to reconcile statements. The lists from the railway company, however, were received at such a late date (about February 1) that they were not of as much help as would have been the case had they been in our hands during the inspection. Cost of reproduction of the various types of structures in different parts of the country was estimated by a man experienced in building construction, on rather a liberal basis, on account of the small amount of information available relative to foundations, grading, interior finish, and heating appliances, as well as furniture and fixtures. Since these estimates were made the railway company has submitted data relative to these structures, and it has been found that our estimates are from 10 to 25 per cent higher than those of the company; but it is quite possible that the railway figures do not always contain items of freight, superintendence, etc., and also their figures are based in many cases, if not all, on cost figures, and the buildings were constructed at a period when material and labour were less costly than at a time just prior to the war, it is thought that prices used in this estimate, for the reasons given, should be higher than the figures given by the railway company. These remarks also apply to general office buildings, water stations, fuel stations and the miscellaneous structures. Large and expensive stations or structures were examined independently and carefully and in most cases detailed plans were submitted and were carefully considered by the architectural engineer.

Shops, Water Stations, Fuel Stations, etc.—The field engineers made as careful inspection as time permitted of these structures, noting the location, the general character, and such detail notes as were necessary to make a reasonable estimate of cost. The same applies to all miscellaneous structures. In large yards, terminals in large cities, where there are numerous structures of all kinds, inspection was made on foot, such time as necessary being given to make careful notes regarding all structures.

Shop Machinery and Tools.—Very little information was available relative to shop machinery. The railway officials were asked in November to submit information relating to this item, but up to this time they have only done so in a few cases. When data were submitted by the railway company, and when the information submitted was judged approximately correct by the inspecting engineer, the figures as submitted were adopted. In many cases in the West, especially where no information was available, an arbitrary amount has been included in the estimate for this item.

Dock and Wharf Property.—There are very few items on the railway coming under this heading. They have been inspected by the field engineer and notes made of the same; and an estimate has been prepared from the plans submitted by the railway company as checked by the field engineers.

CONSTRUCTION OF THE ESTIMATE.

Our estimate of cost involves two things: the quantity of each item, and the unit price. Our quantities have been determined in the manner explained.

In arriving at our unit prices, numerous sources have been consulted and considered, such as contractors on this road and other roads, opinions of men experienced in railroad construction, and also figures used in numerous other valuations and reports, making due allowance always for the location, the geography of the country, character of the work, etc. Very little information was supplied by the railway officers of this nature in time to be of any assistance to us, although they were repeatedly urged to submit data of this character. The unit price data which have been generally used with slight modifications is annexed to the report as an appendix.[1] Preparation of these data had the careful attention of the chief engineer, and was checked with all available data and discussed with several of the assistants most qualified in such matters, and was finally approved by the consulting engineer in charge. In cases where the divisional engineer thought that modifications should be made in the general prices, he was permitted to do so with the approval of the chief engineer in each case. It is quite likely that prices used are at variance, on certain lines or in some localities, with actual prices paid; but it seemed better for the sake of uniformity and consistency to adhere to what had been considered to be reasonable and fair prices, notwithstanding such differences.

In order to adopt a method by which quick results could be obtained and at the same time, a method by which easy comparisons could be made, and also the liability of error eliminated as much as possible, it was decided to make an estimate of each distinctive line on a mileage basis and this unit of value, for convenience called a typical unit, was then applied to the correct mileage of the line in question. It was possible to make determination originally of one mile of many items. In cases where this was not possible, such as grading, tunnels, bridges, stations, etc., a determination was made of the total quantity on the line and this total quantity divided by the mileage of the line produced the average amount per mile which appears in the "typical unit" under the proper classification along with the other items originally determined for one mile, and thus a proper amount per mile for each line was determined. The auxiliary tracks were determined to be a certain per cent of the total, and in each case this additional per cent of one mile has been taken into account for all track items, making due allowances where necessary for a different weight of rail in the auxiliary tracks. Two arbitrary items have been added to the measurable items falling under one or the other of the thirty accounting classifications, which are: (*a*) Maintenance and temporary work during construction; (*b*) solidification and adaptation or deferred construction. The first of these items has been estimated at $250 per mile, which is based on figures used in other valuations and theoretical estimates of this cost. Concerning (*b*), the amount has generally been taken as $200 plus one-thirtieth of the grading, because the items consist of track items which are nearly constant per mile and of grading and drainage items which vary with the amount of same. This amount has been reduced in cases where very little work coming under this heading appeared to have been done or where present conditions were very poor, and has been omitted entirely in some instances, such as on new lines.

The typical unit for a line having been thus prepared, a simple multiplication by the mileage of the line produces the basic value of the said line, to which are added the overheads on the percentage basis, thus producing the final estimate of the cost of reproduction.

The summary for each line is made on a card on the back of which is shown the total of the land and interest separately, and also the depreciation. The cards, about 125 in number, show complete consolidated information for the entire system, and are indexed and filed in a suitable box.

GENERAL.

The field inspection commenced on the 16th of October, 1916, and was substantially completed December 24, 1916, although the investigations relating to land values have

[1] Not printed.

continued until March 1. At the same time that the field inspection was going on, assistant engineers were at work in the main office making profile estimates of quantities, grading and bridging, so that when the field engineers came into the office, these items were, in most cases, ready for them. The entire work of making up the typical unit for each and every line and estimating the special features has been accomplished in about six weeks, say from January 1 to February 15. Since the latter date, work has been largely consolidation, reviewing, checking, and consideration of a few large special items.

The railway company has sent representatives to the office to make comparisons of our results with their figures, and to discuss matters where substantial differences existed. The railway company, up to February 22, has not submitted any statements of original costs of complete lines except for one or two lines east of Port Arthur, so that comparisons with cost figures could not generally be made, except with reference to some special items. It appears now, that the work is practically completed, that the railway company will submit cost statements for most of the lines. It cannot be said at this time what the comparisons with such statements will disclose. During February the railway company has submitted many statements, covering approximately two-thirds of the lines, which give the quantities of most of the measurable items, but show no unit prices or original costs. The overheads, land, and some other items are shown for a lump sum. On some of these lines we have applied the same unit prices as were used in our estimate and thus made a complete estimate out of the railway company's incomplete statement. Where comparisons have been made in this manner, taking the railway company's estimate, deducting from the same its item of discount and also its item for interest, and then applying the same amount for interest as used in our estimate, it has been found that there are very slight differences between the estimates in general. The following items are generally higher in the railway company's estimates, either expressed in dollars or in quantities, than our estimates. Land, trestle timber, switches, farm gates, rail, ties, fastenings, ballast and interest. Our estimates are generally higher than the railway company's figures in grading, buildings and engineering. Our higher grading figure and lower trestle timber figure is probably accounted for by numerous bridges having been filled in since the railway company's figures were made, which in most cases, are construction figures. Our lower figures in rail, ties, etc., are partly due to the railway company including industrial spurs in its statement, and generally our auxiliary track figures are slightly lower than those now shown by the railway company. Though there is not much difference regarding ballast, we believe that the railway company's figures are purely estimates, and that it has been entirely too liberal in making such estimates; at least, it is the opinion of our engineers that there is not nearly that amount of ballast on any of these lines as claimed by the railroad company. It is possible that the amount claimed has been put on at some time or other and much of it disappeared as ballast, having become incorporated in the road bed, in which case we have covered it by our item termed "solidification."

CONCLUSION.

My thanks are due to Sir Henry Drayton for much information and help, and for his interest in the matter; also the staff of engineers and assistants who have worked hard and faithfully. The Department of Railways and Canals detailed an inspecting engineer to assist us, who gave us much information relative to unit costs and costs of certain lines, and our thanks are due them for this valuable assistance.

Very truly,

WM. H. CHADBOURN.

SESSIONAL PAPER No. 20g

Prof. G. F. Swain,
in Charge of Valuation
Commission of Inquiry into
Railways and Transportation,
Ottawa, Ont.

Comparison of Physical Values of Canadian Northern Railway and Canadian Pacific Railway between Kamloops and Vancouver.

I beg leave to submit the following report comparing the Canadian Pacific line and the Canadian Northern line between Kamloops and Vancouver.

Inspection of the portion of the Canadian Northern and Canadian Pacific between Kamloops and Vancouver was made October 30 to November 3, 1916, and December 15 and December 17, 1916, respectively.

Field work on the Canadian Northern Railway was done from an inspection motor with ample opportunity to stop at pleasure. Complete profiles showing details of pay quantities of material and notes of other items were at hand.

The Canadian Pacific railway was inspected from the rear end of regular trains. The profiles furnished having full information of tracks, etc., but no quantities of materials in grading or bridging shown.

Basis of Comparison.—In making the comparison of the roads, the terminal properties, yards, docks, etc., at Port Mann and Vancouver, as well as both railway company's properties and yards at Kamloops have been excluded.

At North Bend where the Canadian Pacific own a hotel and practically all of the town and buildings in it, only the yard proper and buildings which can strictly speaking be called railway structures, have been taken into account.

C.P.R. Route.—From Kamloops going west the Canadian Pacific Railway follows the south side of the Thompson river to the junction of this river with the Fraser river at the town of Lytton, and for six miles is on the south side of the Fraser river before it makes its only crossing to the north side, down which it runs to within 24 miles of Vancouver. The line then works over to the south arm of Burrard inlet at Port Moody, which was the original terminus of the road. From Port Moody the south shore of the inlet is followed into Vancouver.

The alignment of the Canadian Pacific Railway has a very large percentage of curvature with a maximum of 11° 30 foot curves, which maximum, however, is used only in a few places.

The track at Kamloops is 1,050 feet in elevation above that at Vancouver, and although the railway is following a watershed, there are a number of adverse grades going west with a maximum grade in that direction of 1·1 per cent uncompensated, while eastbound the maximum grade is 1·3 per cent uncompensated.

C.N.R. Route.—The Canadian Northern Railway general route from Kamloops west is the same as the Canadian Pacific, following the Thompson and Fraser rivers to its terminus.

At Kamloops after crossing the North Thompson river it is on the north side of the Main Thompson river and crosses or recrosses it seven times before its junction with the Fraser, at Lytton where the railway is on the south side.

Where the Canadian Northern is on the south or same side as the Canadian Pacific it is between that road and the river, and in elevation somewhat lower.

Half a mile west of Lytton it crosses to the north side of the Fraser river, and after following that side for five miles crosses to the south side by a high crossing of the river and an overhead crossing of the Canadian Pacific Railway. Immediately

below this point the Canadian Pacific has crossed to the north side, and from here west the Canadian Northern runs on the south bank to Port Mann while the Canadian Pacific follows the north.

Port Mann is the terminus of the road owned by the Canadian Northern Railway, but they have running rights over the Great Northern Railway and the Dominion Government Fraser River bridge over Fraser River Junction into Vancouver, and use the Great Northern station in Vancouver.

There is now under construction at Vancouver by the Canadian Northern Railway a station and yard facilities which will not be finished for some time, and no arrangements have been completed for their own track from Port Mann to Vancouver.

The alignment of the road, although having probably nearly as much curved track as the Canadian Pacific Railway, is of considerably flatter curvature, making the total angle of curves much smaller. The maximum degree of curve is eight degrees.

Going west there are no adverse grades except small velocity grades which can be neglected. Eastbound the maximum grade is 0·40 per cent compensated.

In general the ground traversed by the two railways might be considered the same.

General Compgrison of Route.—Where the roads are on opposite sides of river, on the whole, the work would have the same quantities of material for equal alignment and gradient, although for short distances one is on a bench with lighter work necessary than that on the opposite side. This condition is reversed in the next stretch and about balances.

Both cover approximately an equal length of flat ground where work of grading is light.

The Canadian Northern Railway along the Thompson river, where it is on the same side as the Canadian Pacific Railway, crossed to avoid particularly heavy grading and did the bridging to get the less rugged side of the valley.

General Comparison of Roadway.—The general alignment of the Canadian Northern Railway being of flatter curves, necessitated having the line located further into the side hill and consequently had heavier grading than if located with the sharper curves used on the Canadian Pacific Railway. Also the lighter gradient used and no use of adverse grades made the work heavier than if the same grades as those of the Caandian Pacific Railway had been employed.

With the exception of some timber cribbing, three small trestles and a few wooden culverts, the Canadian Pacific has all road bed structures now built of a permanent character, that is to say, of steel, concrete or stone masonry.

The Canadian Northern Railway has considerable length of wooden trestles, some timber cribs and culverts.

Typical Unit Sheet.—Appended is typical unit of each road showing per mile value of each accounting item.

Unit Prices.—In making up valuation for each line, where the items were of the same kind and character, equal unit prices were used for both, where items varied in kind, prices as far as possible were based on equal conditions.

Length of Track.—The length of the lines, as compared, are: Canadian Northern Railway, 243·7; Canadian Pacific Railway, 250·5.

The latter from Kamloops station to Vancouver station. The Canadian Northern Railway from Kamloops station to Port Mann at Fraser River Junction, which is the end of this road and junction with the Dominion Government railway bridge across the Fraser river at New Westminster. It is 14·0 miles from this point to Vancouver over the Great Northern Railway, making the distance Kamloops to Vancouver 257·7 by the Canadian Northern Railway.

The Canadian Northern Railway has 22·55 miles or 9·25 per cent of auxiliary tracks, while the Canadian Pacific Railway has 50·76 miles or 20·26 per cent of auxiliary tracks, and 89·97 miles or 35·93 per cent of double tracking, 8 miles of which is out of Kamloops and 81 miles out of Vancouver.
T.U. (2).

Right of Way and Station Grounds.—Each has about the same area, but that of the Canadian Pacific is probably worth more; the immediate territory being better developed, so 10 per cent more has been allowed the Canadian Pacific.
T.U. (4).

Clearing and Grubbing.—These items are the same for each road, the character of timbered country being alike.

Excavation and Embankment.—Having no actual pay quantities on the Canadian Pacific Railway the comparison is made in reference to the Canadian Northern Railway, which averaged 81,600 cubic yards per mile.

Dividing the ground into three classes of grading, light, heavy, and very heavy, and assuming the two roads traverse the same percentage of each, and that in each case for simple track grading the light and heavy work are the same yardage per mile but that the very heavy work on the Canadian Pacific Railway is two-thirds of yardage per mile of the Canadian Northern Railway, and that the Canadian Pacific double track is 110 per cent in quantities of the heavy work and the auxiliary track grading in quantities is 125 per cent of light work, we have about the same quantities per mile thus:—

Class of Grading for Ground Traversed.	Canadian Northern Railway.			Canadian Pacific Railway.		
	Per cent of line.	At yards per mile single track.	Amount cubic yards.	Per cent of line.	At yards per mile single track.	Amount cubic yards.
Light	15	16,000	2,400	15	16,000	2,400
Heavy	25	48,000	12,000	25	48,000	12,000
Very heavy	60	109,000	65,400	60	72,600	43,600
	100		79,800	100		58,000
Double track				36	52,800	19,000
Auxiliary track	9	20,000	1,800	20	20,000	4,000
			81,600 cu. yds. per mile.			81,000 cu. yds. per mile.

Retaining Wall and Crib.—In the Canadian Northern Railway, 12 per cent of this item, or $35 per mile, is wooden cribs, and the balance is retaining wall either of dry masonry or concrete. This item will be very much increased when the present wooden trestles are replaced with permanent work.

The Canadian Pacific amount is very heavy on account of the line having been located "out in the air" instead of well into the side hill—5 per cent of the amount, or about $200 per mile, is cribbing; these cribs are mostly deflection cribs at the water's edge to divert the current from embankments.
T.U. (5).

Tunnels.—The Canadian Pacific Railway have twenty-nine tunnels in all; twenty-eight are through solid rock, one of which is a parallel one for double track; six of

these are concrete or masonry lined, and two timber lined. One is a dirt tunnel, masonry and concrete lined. Total length of tunnelling is 10,629 feet.

There are thirty-four tunnels on the Canadian Northern Railway, two through dirt, and timber lined, and the others through solid rock, seven of which are full timber lined and eight partly timbered. The total length is 19,464 feet, or 83 per cent more length than the Canadian Pacific Railway.
T.U. (6).

Bridges.—The Canadian Northern Railway have 10,668 feet of steel bridges, all on concrete piers and abutments, 640 feet of wooden Howe truss spans on pile and crib piers. This bridging is mainly made up of the crossings of the Thompson and Fraser rivers; in all nine crossings.

The steel bridges on the Canadian Pacific Railway have a less total length than on the Canadian Northern Railway, being 7,882 lineal feet; most of them are on stone masonry piers and abutments, only a few having concrete substructures; over half are double-track structures. There is one crossing of the Fraser river, but the heaviest structure is a double-track bridge of thirteen spans, with one swing, across the Pit river. Besides the steel bridges there are three stone arches of 81-, 54-, and 30-foot spans.

Trestles.—There are 31,380 feet of trestles on the Canadian Northern Railway, mostly crossing small ravines, but are *grasshoppers,* replacing what will eventually be fills with retaining wall.

This is the main item which takes from the permanency of the Canadian Northern railway line as compared with the Canadian Pacific Railway, and to make it favourably comparable to that road will increase the retaining wall item materially and further increase steel bridges.

Trestles on the Canadian Pacific railway are a very unimportant item, consisting of only five small structures with a total length of 585 lineal feet; three of these are constructed of creosoted timber and piles.

Culverts.—About half this item on the Canadian Northern is for cedar box culverts for smaller drainages. The balance is for concrete culverts and tunnels in solid rock, driven under the roadway for the heavier drainage. This item, to compare with the Canadian Pacific Railway for permanency, would be increased considerably; partly in replacing wooden culverts but largely for drainage where some present trestles would be filled.

The Canadian Pacific Railway culvert item has about 7 per cent for wooden boxes, a great number are track ballast boxes, and a very few culverts through the dump. A considerable part of the drainage is taken care of by stone or concrete arches and there are a lot of rail concrete culverts, besides concrete boxes, stone boxes, concrete, iron and tile piping.

The total item for bridges, made up of spans, trestles and culverts, is larger on the Canadian Northern railway on account of the number of main river crossings and eventually will have to be considerably increased.
T.U. 7-8-9-10 and 12.

The items for ties, rails, frogs and switches, track fastening and track laying which may all be treated with the same comment, are greater on the Canadian Pacific railway, mainly because of 36 per cent of double and 10 per cent more auxiliary tracks, but partly by the fact that 75 per cent of the Canadian Pacific railway of main line track is 85-pound and the balance 80-pound against the Canadian Northern railway all 80-pound track. The Canadian Pacific auxiliary track is 56-pound or 60-pound rail, while the Canadian Northern railway is almost all 80-pound.
T.U. (11).

The ballast on the Canadian Northern railway has as many yards per mile as the Canadian Pacific railway, but the latter is largely increased by the greater length of subsidiary tracks and 80 miles of double track rock ballast.
T.U. (13).

The Canadian Pacific has a larger equipment of roadway tools.
T.U. (14).

Each road is about 50 per cent fenced, but the Canadian Northern Railway have a few more gates, and this increases their amount.
T.U. (15).

Crossings and signs with the Canadian Pacific railway is greater because they have three subway road crossings, while the Canadian Northern railway have none.
T.U. (16).

In interlocking and other signal apparatus, the Canadian Northern Railway has a diamond crossing with interlocking plant with the British Columbia Electric Railway, and the Canadian Pacific Railway are the senior road in the only level crossing they make with the Great Northern Railway.
T.U. (17).

The Canadian Pacific Railway have either three or four cross-arms on their telegraph line with 11 to 29 iron wires and two copper wires, against the Canadian Northern Railway's one cross-arm with two iron wires.
T.U. 18-19-20-21-22-23-31.

Buildings and various structures on the Canadian Pacific Railway are somewhat more complete and greater in number, accounting for the larger amounts in station buildings and the balance of the typical units.

Maintenance of temporary work during construction are on each road the same, but for solidification and adaptation the Canadian Pacific Railway, being more matured, is counted higher.

Overhead.—If, for purposes of reproduction value, the conditions of construction are considered the same, overhead charges need not be compared as they would be proportional.

Conclusion.—No account is taken of depreciation on either road, although that of the Canadian Pacific Railway would, in some items, be considerably more than the Canadian Northern Railway, particularly in buildings; it would be largely offset by their bed and track being kept up in excellent condition and their roadbed structures being of substantial character. On the whole, there would be no material difference between them.

As to their total physical reproduction value, by the accompanying estimate it would appear the Canadian Pacific Railway is greater by some $7,022 per mile, or 7 per cent. This excludes, as before noted, terminal properties, etc., which on the Canadian Pacific Railway are very comprehensive.

Operating features.—The operating features have not been gone into, but if this were done the main considerations would be the advantages of the Canadian Northern Railway has of no adverse grades westbound, a lighter ruling grade eastbound, less total elevation to overcome and less and flatter curvature; while the Canadian Pacific Railway has the advantage with 36 per cent of double track line, some better ballast, partly heavier rail and, consequently, better track, the roadbed more consolidated, and better facilities for doing business.

The lack of detailed information of quantities of material moved in grading and particulars of substructures in bridging on the Canadian Pacific Railway and the hurried inspection on that road as well as the short time available for computations, makes the comparison lack the finality one would desire.

Respectfully submitted,

March 10, 1917. C. S. Gzowski.

COMMISSION OF INQUIRY INTO RAILWAYS AND TRANSPORTATION.

TYPICAL UNIT.

C. P. R. and C. N. R., Kamloops and Vancouver.

		C.N.R.	C.P.R.
	Single Track		
	Main line	243-73 miles	2.0-50 miles
	Double track	.....	35-93%
	Auxiliary track	9-25%	20-26%
		$	$
2	Right of way and station grounds	3,248	3,573
3	Real estate	.....	.....
		C.N.R. $	C.P.R. $	
4	Grading			
	Clearing and grubbing	1,544	1,544	
	Grading (except retaining walls)	49,160	49,160	
	Cribbing, retaining walls, etc	291	3,750	50,995	54,454
5	Tunnels			7,288	4,169
6	Bridges	9,609	8,492	
	Trestles	2,230	66	
	Culverts, pipes and drains, etc	1,090	2,013	12,929	10,571
7	Ties per mile at			
	Bridge ties M.B.M. at			
	Switch ties turnouts at			1,765	2,308
8	Rail (pounds) tons at $ per ton			5,556	7,747
9	Frogs and switches			69	153
10	Track fastenings and other material—			
	% A bars at $ per mile =$			
	% bolts at $ per mile =$			
	Spikes ties at pounds			
	per tie= cwt. at $ per cwt. =$			
	Tie plates per mile at each=$			1,040	2,049
11	Ballast cubic yards per mile at per cubic yard in place			1,732	3,553
12	Track-laying and surfacing per cent of a mile at $ per mile,			
	plus (for laying) of a turnout at $ each			751	1,146
13	Roadway tools, 1 outfit at $ divided by			21	82
14	Fencing—right of way fence miles at per mile			403	372
15	Crossings and signs			29	270
16	Interlocking and other signal apparatus per cent station semaphore at $			19	26
17	Telegraph and telephone lines—1 mile at $ plus per cent for			
	instruments, etc			307	755
18	Station buildings and fixtures			267	529
19	General office buildings			.....	.....
20	Shops, etc			139	250
21	Shop machinery			41	51
22	Water stations			255	289
23	Fuel stations			4	151
31	Miscellaneous structures			118	924
	Maintenance and temporary work during construction			250	250
	Solidification and adaptation or deferred construction: C.N.R. 200 plus 1/60 grading: C.P.R. 200 plus 1/30 grading			1,024	1,630
	Total			88,230	95,252

NOTE.—Where details are not shown, they may be found in detail book.

Comparison between the following lines:—

1. C.P.R., Saskatoon—Macklin.
2. C.N.R., Saskatoon—Munson Junction.
3. C.N.R., Warman—Vermilion.
4. G.T.P., Biggar—Battle River.

NOTE.—Grades are actual, not virtual.

Line No.	C.P.R.	C.N.R.	C.N.R.	G.T.P.
	1	2	3	4
Number of tracks	1	1	1	1
Length of road in miles	161.7	303.5	206.5	150.0
Auxiliary track, per cent of main line	23.2	10.3	11.6	17.6
Cost per mile	$31,577	$22,125	$27,664	$39,681
Grades, westbound	1.0	1.0	0.75	0.5
" eastbound	1.12	1.0	0.5	0.4

G.R.B., March 8, 1917.

SESSIONAL PAPER No. 20g

Comparison between the C.P.R. and C.N.R. and G.T.P. between Winnipeg and Brandon. In all cases the Winnipeg and Brandon terminals and Portage la Prairie land are omitted. The C.P.R. is double track, the C.N.R. and G.T.P. are single track.

NOTE.—Grades are actual, not virtual.

	C.P.R.	C.N.R.	G.T.P.
Number of tracks	2	1	1
Length of road in miles	133.0	135.7	129.4
Auxiliary track, per cent of main line	15.25	11.0	22.2
Cost per mile	$45,353	$26,205	$37,910
Grades, westbound	1.75	0.9	0.7
" eastbound	0.771	0.9	0.92

G.R.B., March 8, 1917.

SUMMARY OF COMPARISONS.

Canadian Northern Railway.—Capreol-Current, 593 miles (including yard, tunnel, shop and machinery). Grade: 0.4 eastbound, 0.6 westbound	$34,816 00
Canadian Northern Railway.—Nipigon-Current, 69 miles (including yards, tunnel, shops and machinery). Grade: 0.4 eastbound, 0.6 westbound. Sidings, 4.8 miles, 107 per cent	38,645 00
Canadian Pacific Railway.—Nipigon-Current (Nipigon subdivision), 65 miles—including allowance per mile for complete yard at Chapleau; double track, 6 miles, 9.3 per cent. Sidings, 14.3 per cent. Grade, 1 per cent	45,460 00
Canadian Pacific Railway.—Mile 20–40 (Nipigon subdivision), 20 miles—Including allowance per mile for Chapleau yard double track, 13 miles, 65 per cent. Sidings, 3.25 miles, 16.2 per cent	60,048 00
Average of above sections of Canadian Pacific Railway	52,754 00
NOTE:—	
Canadian Northern Railway.—Capreol-Current, 593 miles, sidings, 52.9 miles	8.9%
Canadian Pacific Railway.—Sudbury-Current, 550 miles; double track, 168 miles	30.5%
Sidings, 110 miles	20%

SUMMARY OF COMPARISON—C.P.R. and C.N.R. SUDBURY AND CAPREOL TO CURRENT.

Field Inspection by T. S. Armstrong. Grades—C.P.R. 1%.
C.N.R. 0.4% eastbound, 0.6% westbound.

	Estimated Cost of Reproduction per Mile.	
	C.N.R.	C.P.R.
	$	$
Nipigon-Current, 69 miles—		
Single track, auxiliary track, 7 per cent	46,154	
Nipigon-Current, 65 miles—		
Double track, 9·3 per cent		
Auxiliary track, 14·3 per cent		59,061
C.P.R., Mile Post 20–40—		
Nipigon Subdivision—		
Double track, 65 per cent		
Auxiliary track, 16·2 per cent		78,045
Capreol-Current, 593 miles—		
Single track, Auxiliary track, 8·9 per cent	45,263	
Sudbury-Current, 550 miles—		
Double track, 30 5 miles		
Auxiliary track, 20 per cent		
Average of above two sections of C.P.R.		68,426

In the above estimate allowance is made for yard trackage and facilities, shops, shop machinery, etc., in both cases.

SUMMARY OF COMPARISON OF C.P.R. AND C.N.R., TORONTO-SUDBURY AND CAPREOL.

Field inspection by A. H. N. Bruce. Grades: C.P.R. 0.5% max.
C.N.R. 1.0% max.

	Estimated cost of reproduction per mile.
Toronto—Capreol C.N.R.—	
Single track, auxiliary track, 9%.....	$38,498
Toronto—Romford Junction C.P.R.—	
Single track, auxiliary track, 26%.....	$61,958

APPENDIX B.

Examination of Mr. E. J. Chamberlin of the Grand Trunk and Grand Trunk Pacific Railways, at Montreal, on February 24, 1917.

(Extracts from shorthand report.)

E. J. CHAMBERLIN, sworn and examined:

Sir HENRY DRAYTON: Mr. Chamberlin, you have been asked to prepare a statement of the money required to keep things going, or an estimate of performances. Have you that statement prepared?

Mr. CHAMBERLIN: This statement I produce was made up by our Auditing Department.

Sir HENRY DRAYTON: This statement is an estimate merely?

Mr. CHAMBERLIN: Yes.

Sir HENRY DRAYTON: Which has been prepared for you, according to your instructions, for ten years, by your Audit Department?

Mr. CHAMBERLIN: Yes.

Sir HENRY DRAYTON: The first column shows "Total Interest on Outstanding Bonds." That is as they now are?

Mr. CHAMBERLIN: Yes.

Sir HENRY DRAYTON: The second column is headed "Less Interest on Three per cent Bonds, Mountain Section, Payable by the Government"?

Mr. CHAMBERLIN: That is correct.

Sir HENRY DRAYTON: The total amount of interest the Government ought to pay, according to that column, is $9,930,000?

Mr. CHAMBERLIN: Yes.

Sir HENRY DRAYTON: The total bond interest payable, as shown in the next column, coupled with the second column, will correspond with the total shown in the first column?

Mr. CHAMBERLIN: Yes.

Sir HENRY DRAYTON: The fourth column shows "Interest on Government Loans to December 31, 1916"?

Mr. CHAMBERLIN: It does.

Sir HENRY DRAYTON: That is computed, I assume, on all Government loans over and above the bonds already referred to?

Mr. CHAMBERLIN: Yes. Those are different loans we had.

Sir HENRY DRAYTON: You do not know about the details?

Mr. CHAMBERLIN: No, I do not.

Sir HENRY DRAYTON: This statement was just prepared for you?

Mr. CHAMBERLIN: Yes.

Sir HENRY DRAYTON: The next column is headed "Interest at 6 per cent on amount required to meet Deficits, and for Capital Expenditure." What does that really mean?

Mr. CHAMBERLIN: That means the deficit each year over Operating Expenses and Interest, and interest has been charged on it. For instance, the total requirements for the year 1917, as shown in the top line of the statement, amount to $5,809,000. Interest has been charged on that into next year.

Sir HENRY DRAYTON: It keeps accumulating, then, from year to year.

There is a footnote to the statement which says: "From the above, it would appear that we will require to raise loans amounting to $65,887,110 to carry the property to December 31, 1926, but if requirements on Capital and Deficit Account were furnished by the Dominion Government without interest, the amount required would be $32,145,000."

Mr. CHAMBERLIN: More than one-half of it is interest on advances that will be made in the future.

Sir HENRY DRAYTON: We really find a difference in this $18,000,000 plus column?

Mr. CHAMBERLIN: I will let Mr. Ardley explain that.

Mr. ARDLEY: That big interest really represents paying interest on interest.

Mr. CHAMBERLIN: Interest on Advances from year to year. We must bear in mind that it is simply guesswork. One cannot tell how the country is going to develop, or how much the railway is going to earn.

Sir HENRY DRAYTON: What percentage of increase do you allow?

Mr. ARDLEY: Mr. Rosevear got that statement up. We have a supplementary statement which you may use to work on.

Mr. CHAMBERLIN: I thought you were going to give all that downstairs?

Mr. ARDLEY: We had not reached that point.

Sir HENRY DRAYTON: Are you satisfied that this is a fair estimate, Mr. Chamberlin?

Mr. CHAMBERLIN: I think so. It is a guess, as I have already said.

Sir HENRY DRAYTON: But it is the best guess you can make?

Mr. CHAMBERLIN: It is the best guess I can make now.

Sir HENRY DRAYTON: There is one other matter: You think that the Government as a matter of fairness to the Grand Trunk, ought to relieve the Grand Trunk Railway Company of its total Grand Trunk Pacific investment?

Mr. CHAMBERLIN: I do.

Sir HENRY DRAYTON: And repay to the Grand Trunk the money it has in the Grand Trunk Pacific, and relieve the company of all its responsibility. That is a large order. We want to give you every opportunity to state every ground on which you think that should be done.

Mr. CHAMBERLIN: Well, Sir Henry, if you will look at this map you will see where the Grand Trunk Pacific stretches away off up through the north country, while the Grand Trunk is away down in this part of the country. It is not a natural connection of the Grand Trunk, is it? It is not only not a connection of the Grand Trunk, but it is not of any benefit to the Grand Trunk.

In the first place, we are under contract to send all business over this north line, away from the Grand Trunk. The Grand Trunk cannot derive any benefit from it, under the contract with the Government.

Commissioner ACWORTH: That is a new point, to me.

Mr. CHAMBERLIN: In addition to that, the company is bound to put steamers on the Atlantic and steamers on the Pacific, to accommodate all that business, and yet it does not bring one dollar of business to the Grand Trunk.

Commissioner ACWORTH: How does that obligation arise?

Mr. CHAMBERLIN: It arises out of the contract with the Government.

Commissioner ACWORTH: The original contract with the Government?

Mr. CHAMBERLIN: The original contract.

Mr. BIGGAR: Of July 29, 1903.

Commissioner ACWORTH: Is the agreement a schedule to the Act?

Mr. BIGGAR: Yes, sir, a schedule to the Act of 1903. Chapter 80, I think it is.

Commissioner ACWORTH: Therefore, if the Grand Trunk, as it does at present, operate or control the operation of the Grand Trunk Pacific, were to send traffic through Portland instead of through Halifax, it would be a fraud on the agreement?

Mr. CHAMBERLIN: Yes. We are bound to go on with all that tremendous outlay and to carry that load, and yet not get one dollar of benefit from it. The Grand Trunk simply cannot carry it.

Commissioner ACWORTH: Let me ask this question: When you went away from the agreement to work the Transcontinental, was that question of the obligation of the Grand Trunk Pacific to carry over the Transcontinental ever raised?

Mr. CHAMBERLIN: No. The agreement is with the Grand Trunk Pacific, not with the Transcontinental.

Commissioner ACWORTH: But it was practically Grand Trunk, rather than Grand Trunk Pacific?

Mr. CHAMBERLIN: It is in the name of the Grand Trunk Pacific, not of the Grand Trunk.

Commissioner ACWORTH: The Grand Trunk Pacific said they could not work the Transcontinental, with its present cost?

Mr. CHAMBERLIN: Yes.

Commissioner ACWORTH: And the Grand Trunk Pacific did not raise, and the Grand Trunk was not in a position to raise (that is what it comes to) the question of whether the obligation remaining on the Grand Trunk Pacific to run over the Transcontinental was a reasonable one?

Mr. CHAMBERLIN: Well, it was not raised, anyway.

Commissioner ACWORTH: I am an outsider, in regard to these matters, and have to pick them up as we go along.

Mr. CHAMBERLIN: The only body that could raise that question would be the Government, I should say.

Mr. BIGGAR: The only company which could raise any objection would be the Grand Trunk Pacific.

Commissioner ACWORTH: An obligation to operate via Halifax rather than via Portland is an obligation of the Grand Trunk, not of the Grand Trunk Pacific?

Mr. BIGGAR: Yes. It is provided for in the agreement dated the 29th of July, 1903, which is a schedule to chapter 71 of the Statutes of Canada, 1903.

Commissioner ACWORTH: The Act constituting the system?

Mr. BIGGAR: An Act confirming an agreement entered into between His Majesty the King and Sir Charles Rivers Wilson and others acting on behalf of the Grand Trunk Pacific Railway Company.

Clauses Nos. 41 to 45, inclusive, provide:

> 41. At all times during the terms of the said lease, the Company shall continuously and efficiently operate both divisions of the said railway, giving due and sufficient service for the accommodation of all traffic to the satisfaction of the Government.
>
> 42. It is hereby declared and agreed between the parties in this agreement that the aid herein provided for is granted by the Government of Canada for the express purpose of encouraging the development of Canadian trade and the transportation of goods through Canadian channels. The Company accepts the aid on these conditions, and agrees that all freight originating on the line of the railway, or its branches, not specifically routed otherwise by the shipper, shall, when destined for points in Canada, be carried entirely on Canadian territory, or between Canadian Inland Ports, and that the through rate on export traffic from the point of origin to the point of destination shall at no time be greater via Canadian Ports than via United States Ports, and that all such traffic, not specifically routed otherwise by the shipper, shall be carried to Canadian Ocean Ports.
>
> 43. The Company further agrees that it shall not, in any matter within its power, directly or indirectly advise or encourage the transportation of such

freight by routes other than those above provided, but shall, in all respects, in good faith, use its utmost endeavours to fulfil the conditions upon which public aid is granted, namely—the development of trade through Canadian channels and Canadian Ocean Ports.

44. In respect of the tolls for any traffic carried partly over any line of railway operated by the Company and partly over any of the lines of the Intercolonial Railway, a fair and equitable ratable division of all such tolls shall be made by mutual agreement, or, in case of dispute, such division shall be fixed by arbitrators appointed in the manner provided by paragraph forty-seven of this agreement, or by a Board of Commissioners which may hereafter be duly appointed as mentioned in paragraph nineteen of this agreement, and with the right of appeal as therein mentioned.

45. The Company shall arrange for and provide, either by purchase, charter or otherwise, shipping connections upon both the Atlantic and Pacific Oceans sufficient in tonnage and in number of sailings to take care of and transport all its traffic, both inward and outward, at such ocean ports within Canada, upon the said line of railway, or upon the line of the Intercolonial Railway, as may be agreed upon from time to time, and the Company shall not divert, or, so far as it can lawfully prevent, permit to be diverted, to ports outside of Canada any traffic which it can lawfully influence or control, upon the ground that there is not a sufficient amount of shipping to transport such traffic from or to such Canadian ocean ports.

Mr. CHAMBERLIN: We are bound to make the same rates from Halifax and St. John as are made to Boston and Portland, and we are bound to provide steamships on the Atlantic and on the Pacific to take care of any business offering.

Commissioner ACWORTH: You never have provided ships on the Atlantic, in fact?

Mr. BIGGAR: No.

Commissioner ACWORTH: And the Government has never called on you to carry out your contract?

Mr. CHAMBERLIN: You talk about the money the Government would have to raise to pay off the Grand Trunk. They would not have to raise $250,000. This has been financed on a three and four per cent basis except on loans from the Government, and I have offered to take the advances in Government bonds of ten or fifteen years.

Sir HENRY DRAYTON: But the obligation is there; the burden is there, and the carrying costs are there.

Mr. CHAMBERLIN: Yes, but it is really a matter of financing, to-day.

Sir HENRY DRAYTON: Your first point, Mr. Chamberlin, is that the Grand Trunk is not interested in all this development at all, and that the railway as contracted for and laid out is something which takes traffic away from the parent Grand Trunk System instead of giving traffic to it.

One answer that might be quite easily made to that is that the representatives of the Grand Trunk must have known all that when this contract was entered into?

Mr. CHAMBERLIN: I don't know. They must have. Of course, I do not want to criticise my predecessors.

Sir HENRY DRAYTON: What is the next ground?

Mr. CHAMBERLIN: What do you mean?

Sir HENRY DRAYTON: You have just advanced a reason why you think the Government should take the whole burden of the Grand Trunk Pacific away from the Grand Trunk Railway Company?

Mr. CHAMBERLIN: Yes.

Sir HENRY DRAYTON: That reason being that the position and the manner in which the line has been built, it is really for a separate system and not for the Grand Trunk System at all?

Mr. CHAMBERLIN: Yes.

Sir HENRY DRAYTON: That is your first ground. Now what is the next ground?

Mr. CHAMBERLIN: Isn't that enough?

Sir HENRY DRAYTON: I don't know. You are the one to say. You are giving us all your grounds, and we want to give you every opportunity to advance every argument you can.

Mr. CHAMBERLIN: We can no more carry out that contract with the Government than anything in the world. How are we going to raise money to build those steamships? How are we going to build steamships? How are we going to carry the burden if we are forced to carry all that stuff all the way down there at Boston and Portland rates?

Sir HENRY DRAYTON: Your second ground is that of impossibility?

Mr. CHAMBERLIN: It is an impossibility.

Sir HENRY DRAYTON: If it is impossible now, it was always impossible?

Mr. CHAMBERLIN: It was always impossible.

Mr. BIGGAR: It was not thought to be impossible, by the men who made the contract.

Sir HENRY DRAYTON: I think it was.

Mr. BIGGAR: Of course Mr. Hays is now dead. He was very optimistic about it, we all know that.

Sir HENRY DRAYTON: Mr. Chamberlin, you have already, through Mr. Biggar, submitted a letter to this Investigating Commission, pointing out first that your scheme was a scheme for building from North Bay; secondly, that your scheme from North Bay was changed at the request of the Government; thirdly, that in the Railway Committee an amendment was forced which compelled the line to be carried from Quebec down to Moncton.

There is nothing more to be said in that connection is there?

Mr. CHAMBERLIN: Nothing more to be said, that I know of.

Sir HENRY DRAYTON: When the Government have already taken over the burden of the line from Quebec east, haven't they relieved you of every single trouble in that connection?

Mr. BIGGAR: The one fatal omission is the connection between the Grand Trunk Pacific and Ontario.

Sir HENRY DRAYTON: You mean, between the Grand Trunk Pacific and North Bay?

Mr. CHAMBERLIN: Practically that. The Grand Trunk System in Ontario to-day is not connected up.

Sir HENRY DRAYTON: This map of yours shows an alternate line dotted?

Mr. CHAMBERLIN: That was the original scheme.

Sir HENRY DRAYTON: That ties up to Sudbury?

Mr. CHAMBERLIN: That ties up to Sudbury, with a continuous line down to Midland I guess it is, or Allandale.

Sir HENRY DRAYTON: Mr. Biggar, do you want anything further said in so far as construction east of Winnipeg is concerned; you have some letters, Mr. Chamberlin, do you want to put any of them in the record?

Mr. CHAMBERLIN: I will leave that matter to Mr. Biggar.

Mr. BIGGAR: I think we had better put them in.

Sir HENRY DRAYTON: You gentlemen will have to determine yourselves what letters you want to put in.

Mr. CHAMBERLIN: I do not see any objection to putting them in, myself.

There is one particular piece of information to be brought out; that is, that the Grand Trunk officials of that day would never have gone into it if they had thought a competing line would be built alongside their line all the way through. They

thought they would have a chance to go ahead for fifteen years, year after year. If they had thought that instead they would have had competition immediately all the way through, I am sure they never would have entered into the agreement.

Sir HENRY DRAYTON: Give us all your reasons why the Government should help, or why the Government should assist the Grand Trunk Pacific.

Mr. CHAMBERLIN: I say that the situation would not have been nearly as bad as it is now if the Government had not subsidized another line paralleling ours all the way through, to which they gave larger guarantees than they did to the Grand Trunk Pacific, and in addition gave them $12,000 a mile cash.

Sir HENRY DRAYTON: Do you happen to know whether, in the negotiations between the Government and the Railway, the question of aids to other lines was discussed at all. You see your company has not got a provision or a stipulation from the Government that they would not do that which you now complain of. Do you know whether that question was discussed at all?

Mr. CHAMBERLIN: I cannot say as to that. Mr. Biggar can tell you, no doubt. I was not present and had nothing to do with the institution until it was well on to completion.

Sir HENRY DRAYTON: Was that question discussed at all, Mr. Biggar?

Mr. BIGGAR: Not as far as I know, Sir Henry. At the session at which the Canadian Northern was assisted between Winnipeg and Edmonton, it was presumed that that was to be as far as that line would go.

Sir HENRY DRAYTON: But it was contemplated that they would build to the coast?

Mr. BIGGAR: I don't think it was.

Sir HENRY DRAYTON: If I am not very much mistaken, negotiations were entered into between your executive and the executive of the Canadian Northern, looking to the fusion of the systems, so that there would not be this duplication.

Mr. CHAMBERLIN: They tried to buy the Manitoba lines, but they could not get together, Mr. Hays told me at one time, and Mr. Wainwright told me also. I asked them why they did not buy out the Canadian Northern. They said they had had meeting after meeting with them, and that the best terms they could get were that they assume all obligations, all bonds and everything else, and give $25,000,000 for the common stock for that little bunch of lines up around Winnipeg.

Commissioner ACWORTH: Can you give us the date of that?

Mr. BIGGAR: That was in 1903.

Sir HENRY DRAYTON: It was in 1903 that those negotiations were going on?

Mr. BIGGAR: It was either in 1903 or 1904.

Sir HENRY DRAYTON: It was not very long after that before the Canadian Northern went on branching out?

Mr. BIGGAR: Where from?

Sir HENRY DRAYTON: From everywhere. They have been operating since 1908. I quite appreciate, Mr. Chamberlin, the point you make, that is, that your undertaking has been very much injured by another line. But wasn't it a case of the country being open for the two companies? There was no reason why the Government should not do it, if they wanted to?

Mr. CHAMBERLIN: I think there was, because our people looked upon it in this light, that they and the Government were partners, and that one partner would not do anything to injure the other.

Sir HENRY DRAYTON: But you know that the Canadian Northern to-day puts forward the same thing as against you, that they would have been in good shape to-day as a transcontinental line if the Government had not subsidized your company?

Mr. BIGGAR: But the Canadian Northern had not made any arrangement to go west of Edmonton prior to this agreement.

Mr. CHAMBERLIN: Take their lines through British Columbia, and you will find that they took a line down the Thompson river and on to Vancouver which was approved by the Government. Mr. Hays wrote me to Winnipeg asking whether we should oppose it. I said no, if there isn't any other way of going to Vancouver than that, do not let us go.

Sir HENRY DRAYTON: What is your objection to that route?

Mr. CHAMBERLIN: The Thompson river, and those slides there. They had in 1903 a guarantee covering the line to the Prince Albert branch, running straight up north, apparently to Edmonton. They built their line into Edmonton, then did not do anything until 1908; 1903 was the year our charter was being obtained.

Mr. BIGGAR: Not only that, but our agreement with the Government on which the whole scheme is based, from Winnipeg to Prince Rupert, was made in 1903.

Sir HENRY DRAYTON: Can you really say more than this, Mr. Chamberlin, that although there was no agreement that the Government should not help any other line, you assumed that as a matter of good business the Government would not help any other line competing with you?

Mr. BIGGAR: West of Edmonton.

Mr. CHAMBERLIN: West of Edmonton or east of Port Arthur. In carrying out their arrangement with us in good faith, they could not consistently do that.

Sir HENRY DRAYTON: Why do you say, in good faith?

Mr. CHAMBERLIN: We were partners, and were opening up a new country which both sides knew was dependent upon the country filling up. There was nothing in it from one end to the other. You could ride for two days along our line without seeing a house. Then they put another line alongside of ours and divided the thing up.

Sir HENRY DRAYTON: But you are the interloper in prairie lines: surely your complaint if any is confined to the West, on the one hand?

Mr. CHAMBERLIN: So far as the Canadian Northern and the Canadian Pacific Railway are concerned?

Sir HENRY DRAYTON: I am now speaking of the Canadian Northern, not of the Canadian Pacific Railway. They always had the road. They got no bonuses for that. Take it from Edmonton west, and all the way down through; from Edmonton west you make the complaint as to the Canadian Northern, and as to Port Arthur east, but nowhere else is there anything on which you can make that point?

Mr. CHAMBERLIN: Of course they are paralleling our branch lines. That shows who was ahead, conclusively. The first year in which they did anything was 1908. Then they got an extra in 1910, 1911, 1912, 1914, and 1916.

Sir HENRY DRAYTON: You have written me a letter giving some grounds as to why the road should be taken over. We notice that there is a fairly good operating balance on the main line, but a very heavy operating loss on the branches?

Mr. CHAMBERLIN: Yes, but they get more than half of their business on branch lines.

Sir HENRY DRAYTON: The loss on the branch lines is more than compensated for by the long haul on the main line?

Mr. CHAMBERLIN: Yes.

Sir HENRY DRAYTON: You speak of confiscation, in your letter, Mr. Chamberlin. No person is thinking of confiscating the investment that I know of. If you can afford to carry it, you will be allowed to carry it. That was not really meant, was it? Suppose you are left to yourselves, the thing crashes, no one confiscates it. Isn't that right?

Mr. CHAMBERLIN: To a certain extent, yes.

Sir HENRY DRAYTON: To every extent, isn't it?

Mr. CHAMBERLIN: To every extent.

Sir HENRY DRAYTON: You also mention in your letter that the money was put into the undertaking in good faith, and that it was a national undertaking. We have to look upon that more or less in the way these large terms are usually taken. It is only national to the extent that the agreement makes it?

Mr. CHAMBERLIN: Of course we are very anxious to avoid a break or a crash. The Grand Trunk has to raise a great deal of money, as you know in your department, for grade separations, improvements to hotels, etc.

Sir HENRY DRAYTON: I quite agree with that. You should be able to raise a great deal of money for the purchase of rolling stock and so on.

Mr. CHAMBERLIN: We have to. Of course the debenture stock is a first lien, and these guarantees are right behind the debenture stock.

Sir HENRY DRAYTON: Your point I take it is that it is impossible for the Grand Trunk to continue its service and raise money, under these circumstances?

Mr. CHAMBERLIN: Absolutely.

Sir HENRY DRAYTON: What do you desire to say in order to justify what you say in your letter about competing lines being subsidized?

Mr. CHAMBERLIN: In the first place, all our estimates were made on the basis of $1.50 for labour, $1.75 to make it safe. Labour is the principal part of the construction of a railway. The result was that with the other road working right alongside of us, especially west of Edmonton, we had to pay $3.50 a day right along, and even then the men would not work. If we tried to crowd them and make them work, they would simply climb over the fence, so to speak, and go and work for the Canadian Northern.

Sir HENRY DRAYTON: But your position would be no worse in that respect than that of the Canadian Northern?

Mr. CHAMBERLIN: Not in that respect. Still it tremendously increased the cost of the road. In addition to that, all material was increased in price. The Canadian Pacific Railway was constructing feverishly all the time to keep up with the other two. That increased the cost of material away beyond any expectations. There were also duties put on everything after that contract was made, such as $7 a ton on rails. So you see everything counted.

Sir HENRY DRAYTON: Is there anything you wish to say in justification of that part of your letter in which you speak of the course subsequently followed by the Government, and of the road never being built?

Mr. CHAMBERLIN: That is simply a statement of my judgment, that the officers of the Grand Trunk who made that arrangement with the Government never would have made it if they had known that their line was going to be paralleled. All our correspondence shows that.

Sir HENRY DRAYTON: Have you any correspondence you wish to produce which shows that?

Mr. CHAMBERLIN: Mr. Biggar has a lot here; he is getting it.

Sir HENRY DRAYTON: You had better put in whatever you want to put in.

Mr. CHAMBERLIN: We will give you the whole bunch.

Sir HENRY DRAYTON: Mr. Biggar is going to sort out whatever correspondence he desires to file in connection with this matter which will be put in as a separate exhibit.

I take it that you are not serious when you mention in your letter the repudiation of a legitimate indebtedness, the injury of the Grand Trunk Company's credit, hostile criticism, and so on. I quite appreciate your point, that if anything is done to injure the credit of the Grand Trunk, these consequences might follow. But there is no suggestion that I know of of the Government repudiating any of its legitimate indebtedness.

Mr. CHAMBERLIN: The idea is that if the Grand Trunk and the Grand Trunk Pacific go into insolvency (which they will have to do if the Grand Trunk attempts

to carry out that arrangement) the Grand Trunk Pacific having been heralded and looked upon as a Government-backed road, it would naturally have an effect upon the other securities as well.

Sir HENRY DRAYTON: What I wanted to find out was, what was meant by the statement in the letter in regard to the repudiation of a legitimate indebtedness. There is no suggestion that the Government should repudiate any of its legitimate indebtedness. It is not a matter of repudiation.

Mr. CHAMBERLIN: If the Grand Trunk says it cannot go on with this undertaking, the Government of course will have to take it over—it could not help itself, on account of the guarantees. They would then wipe out $30,000,000, $30,000 a mile, and could wipe out, say, $25,000,000 owing to the Grand Trunk. You see that while they guaranteed the Grand Trunk $13,000 a mile they guaranteed the Canadian Northern $35,000 a mile.

Sir HENRY DRAYTON: The Government would do substantial justice if they took it over at $35,000 a mile, to put on a parity?

Mr. CHAMBERLIN: Does that not reflect on the credit of the Government as well, a Government-backed road?

Sir HENRY DRAYTON: But they only backed it to the extent of the guarantees; your complaint is that they did not back it quite enough?

Mr. CHAMBERLIN: If the Grand Trunk Pacific goes to the wall, a Government road, everybody throughout the Northwest would say that the Government built it entirely too high.

Sir HENRY DRAYTON: Doesn't it really come down to this, that the statements in your letter mean that in your view, in order to protect the finances of the Grand Trunk, and as a corollary to protect the finances of the country, the Government ought to relieve the Grand Trunk in regard to its investment; isn't that the whole thing?

Mr. CHAMBERLIN: That is the whole thing.

Sir HENRY DRAYTON: There is nothing else to it?

Mr. CHAMBERLIN: Nothing else.

Commissioner ACWORTH: I can follow the point this far; that the Grand Trunk Pacific, being regarded as a Government obligation, the Government should see that anybody who had put money in to the Grand Trunk Pacific should be protected to the last penny. But wouldn't it be absolute justice on the part of the Government to say that the Grand Trunk went into this undertaking, and that the Government must ask the Grand Trunk to pay all it can towards the obligation the Government has to carry; in other words, that the Government must ask the Grand Trunk to accept the sinking of the $26,000,000 they have already advanced, and that the Government must ask the company to contribute, in order to minimize the loss, all the net revenue the company has, that while it is not enough yet the Government must have that.

Mr. CHAMBERLIN: The fact is that the Grand Trunk is not able to contribute anything towards paying its own security holders and making the improvements the people of Canada demand and the business of Canada require.

Sir HENRY DRAYTON: But last year the Grand Trunk gave its shareholders half a million sterling?

Mr. CHAMBERLIN: Yes.

Commissioner ACWORTH: Do you mean to say that that was a necessary expenditure—I am not a shareholder?

Mr. CHAMBERLIN: If you strike off the interest on your securities . .

Commissioner ACWORTH: It was not a security; they gave half a million to their guaranteed shareholders?

Mr. ARDLEY: Four per cent on the guaranteed stock was paid.

Commissioner ACWORTH: Which came to half a million sterling. Wouldn't it be absolute justice for the Government to say . . .

Mr. CHAMBERLIN: To wipe out these poor shareholders?

Commissioner ACWORTH: To say to the Grand Trunk that they must pay these liabilities to whatever extent they can, because as far as the public was concerned the Government would have to face the rest, but that the Grand Trunk must do all it can?

Mr. CHAMBERLIN: The Grand Trunk can just about meet it, but cannot pay the shareholders anything.

Commissioner ACWORTH: It divided a profit last year of $2,500,000?

Mr. CHAMBERLIN: You do not call it munificent, to pay interest on your guaranteed securities, do you?

Commissioner ACWORTH: But guaranteed stock is a share, not a bond. Are we agreed upon it, that the company divided a certain amount last year as a profit, a profit divisible as a dividend?

Mr. CHAMBERLIN: How about the first, second, and third preference stock?

Commissioner ACWORTH: Those holders would not get anything. For a series of years there has always been some amount paid as dividend?

Mr. CHAMBERLIN: We would not have paid so much last year, if we had paid out on the Grand Trunk as much as we ought to have paid for betterments.

Sir HENRY DRAYTON: If you had paid all you should have paid out for betterments, you would not have been likely to have paid anything?

Mr. CHAMBERLIN: No. We have not put in any rails for two years past, of any account.

Sir HENRY DRAYTON: How much do you think you should put in, to keep things right, in order to look after proper operations?

Mr. CHAMBERLIN: We should have at least three and perhaps four per cent put aside every year on rolling stock. That would amount to from $2,000,000 to $2,500,000.

Sir HENRY DRAYTON: You have never done that?

Mr. CHAMBERLIN: We have never done that. I have had it before the Board, and have practically insisted upon it being done whenever we get any new rolling stock. I bought about 10,000 cars the first year I was here. They were all charged to Capital Account. We should have had a reserve fund for taking care of them. We now have to go and do the same thing over again.

Sir HENRY DRAYTON: Supposing you were to reconstruct your accounts now; I want to see what effect these items would have on the Grand Trunk. What would the providing of three or four per cent annually amount to?

Mr. CHAMBERLIN: My idea is that it would take five per cent. Take engines and cars, they are either worn out or out of date in twenty years.

Sir HENRY DRAYTON: I agree with you absolutely. If you were to tell your accountants to go and make provision of that kind in respect of your equipment, on that basis, it would preclude the shareholders from receiving anything for years and years?

Mr. CHAMBERLIN: You mean, if we made it up for back years?

Sir HENRY DRAYTON: Yes.

Mr. CHAMBERLIN: Yes, it would. It would mean $2,750,000 a year.

Sir HENRY DRAYTON: You would have to go back probably twenty years to make it right?

Mr. CHAMBERLIN: Yes.

Sir HENRY DRAYTON: To put your accounts in proper shape, in regard to a proper equipment, would require a reserve of $25,000,000?

Mr. CHAMBERLIN: Take the matter of grade separation at Toronto, for instance . . .

Sir HENRY DRAYTON: Suppose you suggest $27,000,000—wouldn't $25,000,000 be enough to properly provide for reserves for equipment?

Mr. CHAMBERLIN: Yes, I think it would. We have now a lot of new equipment charged to capital: If we had $25,000,000 now, it would put us in fine shape.

Sir HENRY DRAYTON: To look after replacements and amortizations?

Mr. CHAMBERLIN: Yes, to do that.

Sir HENRY DRAYTON: To do that you should have that credit?

Mr. CHAMBERLIN: We could have that credit. That is one reason I am fighting so hard for that $25,000,000. I want it to spend here on the Grand Trunk.

Commissioner ACWORTH: Apart from equipment, there is the question of road up-keep. You said you had not put any new rails during the past two years?

Mr. CHAMBERLIN: We put in quite a few in 1915, but in Canada we only put in 2,500 tons last year, because our friend Mr. Flavelle grabbed all the steel at the Soo, and would not let them roll any rails. We had them bought, and have them bought now. I have been trying to get them to let us have them now.

Commissioner ACWORTH: I don't know about 1916, but even in 1915 you did not put in very many new rails?

Mr. CHAMBERLIN: No, we did not.

Commissioner ACWORTH: And did not make a reserve for the money you would have spent if you had got the rails?

Mr. CHAMBERLIN: I do not mean to say that the rails are dangerous. But we must put in a certain percentage every year. If we go over a couple of years, the first thing we know we will have a lot of rotten rails.

Commissioner ACWORTH: Are you behind in your calculation on ties?

Mr. CHAMBERLIN: We have done pretty well on the tie question. We should have had a few more last year, but could not get them.

Commissioner ACWORTH: When you did not get them, you did not charge the money to Road Reserve in any shape or form that you might have charged?

Mr. CHAMBERLIN: No.

Sir HENRY DRAYTON: What do you put the life of a rail at, Mr. Chamberlin?

Mr. CHAMBERLIN: That is very hard to tell. It depends altogether upon the traffic. On one line a rail will last fifty years, while on another line it will not last five years.

Sir HENRY DRAYTON: Between Montreal and Toronto, say?

Mr. CHAMBERLIN: On that line the rails are 100-pound rails. I should say about ten years would be the life of those rails, although I have not had any statistics taken of them.

Sir HENRY DRAYTON: Only ten years for a 100-pound rail?

Mr. CHAMBERLIN: Yes, I should think about that.

Mr. ARDLEY: They would be useful on branch lines, after that.

Mr. CHAMBERLIN: We saw off the ends of them, and use them for branch lines.

Commissioner ACWORTH: I saw some figures this morning for eleven months, that is, eleven months as against the corresponding period of the previous year. The road maintenance costs have increased $334,000 in cash, but the percentage dropped from 9·97 (which is practically 10) to 9·06, which is practically 9.

Mr. CHAMBERLIN: Mr. Ardley can explain that better than I can. A great deal of that is rails.

Commissioner ACWORTH: You have not been able to get them, and therefore have not charged them?

Mr. CHAMBERLIN: That is it.

Commissioner ACWORTH: Similarly in regard to equipment. The equipment for the eleven months to November, 1915, amounted to 16·69 of the expenses, while in 1916 it dropped to 11·62, or, in actual cash expended there has been $328,000 of an increase. Does that mean the same thing again, that you could not get the equipment?

Mr. ARDLEY: That is operation for the eleven months, of the Grand Trunk. Of course I have not got the sheet before me, but I do not think we did as much repairing as we did in previous years.

Mr. CHAMBERLIN: We have employed every man we could employ, and have worked full hours, something we never did before in winter time.

Mr. ARDLEY: If you examine the statements you will see exactly where the increase was.

Mr. CHAMBERLIN: Take Motive Power, $53,000 up; Car Department $24,000 up; Car Department, $31,000 up; Car Department, $25,000 up. You will see that the motive power went up to $50,000.

Mr. ARDLEY: A lot of the increase in motive power represents the wages of enginemen and firemen, which do not go into Maintenance and Equipment. Of course we really do not come to a conclusion until the end of the year.

Commissioner ACWORTH: You accept the question as to Maintenance of Road?

Mr. ARDLEY: I can quite understand, because we have not had the rails to put in.

Commissioner ACWORTH: What about the Maintenance of Way?

Mr. ARDLEY: I think the Maintenance of Way will practically by the end of the year be about the same as last year.

Mr. CHAMBERLIN: If we had got those 17,500 tons, it would have meant $600,000 for rails alone, let alone the new angle-bars, nuts, bolts, spikes, and labour taking them out. It would probably run to $700,000 on that one item, if we had had them. But we could not get them.

Commissioner ACWORTH: And as you do not keep a reserve, you have not charged it up in cash?

Mr. CHAMBERLIN: No.

Sir HENRY DRAYTON: I see, discounts on securities sold, getting into Capital Account?

Mr. ARDLEY: We have always charged that account with that item.

Commissioner ACWORTH: Is that right?

Mr. ARDLEY: It is not right, under any Interstate Commerce Commission Law. They make us carry our discounts.

Commissioner ACWORTH: Is it right, as a matter of business?

Mr. ARDLEY: I don't know whether it is right as a matter of business. The only thing is, that our Debenture Stock is special. It does not appear in the statements.

Commissioner ACWORTH: Well, these things come home to roost in a very few years.

Mr. ARDLEY: The people in London say they won't do it that way, so we are going to do it, when they want it done that way..

Sir HENRY DRAYTON: Is there anything more you want to say, Mr. Chamberlin, on general principles, without going into details?

Mr. CHAMBERLIN: I don't think so.

Sir HENRY DRAYTON: There are no further reasons you wish to advance?